

THE PRINCIPLES
OF
SOCIOLOGY,

BY
HERBERT SPENCER.

VOL. II.

FOURTH THOUSAND

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PREFACE TO PART IV.*

Of the chapters herewith published, constituting Part IV of *The Principles of Sociology*, seven have already seen the light not, however, all of them in England. For reasons which need not be specified, it happened that the chapter on Titles was not, like those preceding it, published in the *Fortnightly Review* at the same time that it was published in periodicals in America, France, Germany, Italy, Hungary, and Russia, and it is therefore new to English readers. Five other chapters, namely V, IX, X, XI, and XII, have not hitherto appeared either at home or abroad.

For deciding to issue by itself, this and each succeeding division of Vol. II of the *Principles of Sociology*, I have found several reasons. One is that each division, though related to the rest, nevertheless forms a whole so far distinct, that it may be fairly well understood without the rest. Another is that large volumes (and Vol. II threatens to exceed in bulk Vol. I) are alarming, and that many who are deterred by their size from reading them, will not fear to undertake separately the parts of which they are composed. A third and chief reason is that postponement of issue until completion of the entire volume, necessitates an undesirable delay in the issue of its earlier divisions substantially-independent works being thus kept in manuscript much longer than need be.

The contents of this Part are not, indeed, of such kind as to make me anxious that publication of it as a whole should be immediate. But the contents of the next Part, treating of Political Institutions, will, I think, be of some importance, and I should regret having to keep it in my portfolio for a year, or perhaps two years, until

* The two parts of which this volume consists having been separately published, each with its preface, it seems most convenient, here simply to reproduce the two prefaces in place of a fresh one for the entire volume.

Parts VI VII and VIII included in the second volume were written [Inclusion of these proves unpracticable]

On sundry of the following chapters when published in the *Fortnightly Review* a criticism passed by friends was that they were overweighted by illustrative facts. I am conscious that there was ground for this criticism, and although I have in the course of a careful revision diminished in many cases the amount of evidence given (adding to it, however in other cases) the defect may still be alleged. That with a view to improved effect I have not suppressed a larger number of illustrations is due to the consideration that scientific proof rather than artistic merit is the end to be here achieved. If sociological generalizations are to pass out of the state of opinion into the stage of established truth it can only be through extensive accumulations of instances the inductions must be wide if the conclusions are to be accepted as valid. Especially while there continues the belief that social phenomena are not the subject matter of a Science it is requisite that the correlations among them should be shown to hold in multitudinous cases. Evidence furnished by various races in various parts of the world, must be given before there can be rebutted the allegation that the inferences drawn are not true, or are but partially true. Indeed of social phenomena more than all other phenomena, it must, because of their complexity hold that only by comparisons of many examples can fundamental relations be distinguished from superficial relations.

In pursuance of an intention intimated in the preface to the first volume, I have here adopted a method of reference to authorities cited which gives the reader the opportunity of consulting them if he wishes though his attention to them is not solicited. At the end of the volume will be found the needful clues to the passages extracted preceded by an explanatory note. Usually though not uniformly references have been given in those cases only where actual quotations are made.

London, November 1879

PREFACE TO PART V.

THE division of the *Principles of Sociology* herewith issued, deals with phenomena of Evolution which are, above all others, obscure and entangled. To discover what truths may be affirmed of political organizations at large, is a task beset by difficulties that are at once many and great—difficulties arising from unlikenesses of the various human races, from differences among the modes of life entailed by circumstances on the societies formed of them, from the numerous contrasts of sizes and degrees of culture exhibited by such societies, from their perpetual interferences with one another's processes of evolution by means of wars, and from accompanying breakings-up and aggregations in ever-changing ways.

Satisfactory achievement of this task would require the labours of a life. Having been able to devote to it but two years, I feel that the results set forth in this volume must of necessity be full of imperfections. If it be asked why, being thus conscious that far more time and wider investigation are requisite for the proper treatment of a subject so immense and involved, I have undertaken it, my reply is that I have been obliged to deal with political evolution as a part of the general Theory of Evolution, and, with due regard to the claims of other parts, could not make a more prolonged preparation. Anyone who undertakes to trace the general laws of transformation which hold throughout all orders of phenomena, must have but an incomplete knowledge of each order, since, to acquaint himself exhaustively with any one order, demanding, as it would, exclusive devo

tion of his data to it would negative like devotion to any of the others, and much more would negative generalization of the whole. Either generalization of the whole ought never to be attempted, or if it is attempted it must be by one who gives to each part such time only as is requisite to master the cardinal truths it presents. Believing that generalization of the whole is supremely important and that no one part can be fully understood without it I have ventured to treat of Political Institutions after the manner implied utilizing for the purpose the materials which in the space of fourteen years have been gathered together in the *Descriptive Sociology* and joining with them such further materials as, during the last two years have been accumulated by inquiries in other directions, made personally and by proxy. If errors found in this volume are such as invalidate any of its leading conclusions the fact will show the impolicy of the course I have pursued but if after removal of the errors the leading conclusions remain outstanding this course will be justified.

Of the chapters forming this volume, the first seven were originally published in the *Fortnightly Review* in England, and simultaneously in monthly periodicals in America, France, and Germany. Chapters VIII and IX were thus published abroad but not at home. Chapters XVII and XVIII appeared here in the *Contemporary Review* and at the same time in the before-mentioned foreign periodicals. The remaining chapters X, XI XII XIII XIV XV XVI and XIX, now appear for the first time with the exception of chapter XI which has already seen the light in an Italian periodical—*La Rivista di Filosofia Scientifica*.

London March, 1882

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PART IV.

CEREMONIAL INSTITUTIONS.

CHAPTER I.

CEREMONY IN GENERAL

§ 313 If, disregarding conduct that is entirely private, we consider only that species of conduct which involves direct relations with other persons, and if under the name government we include all control of such conduct, however arising, then we must say that the earliest kind of government, the most general kind of government, and the government which is ever spontaneously re-commencing, is the government of ceremonial observance. More may be said. This kind of government, besides preceding other kinds, and besides having in all places and times approached nearer to universality of influence, has ever had, and continues to have, the largest share in regulating men's lives.

Proof that the modifications of conduct called "manners" and "behaviour," arise before those which political and religious restraints cause, is yielded by the fact that, besides preceding social evolution, they precede human evolution. They are traceable among the higher animals. The dog afraid of being beaten, comes crawling up to his master, clearly manifesting the desire to show submission. Nor is it solely to human beings that dogs use such propitiatory actions. They do the like one to another. All have occasionally seen how, on the approach of some formidable Newfoundland or mastiff,

a small spaniel, in the extremity of its terror, throws itself on its back with legs in the air. Instead of threatening resistance by growls and showing of teeth, as it might have done had not resistance been hopeless, it spontaneously assumes the attitude that would result from defeat in battle tacitly saying—"I am conquered and at your mercy." Clearly then, besides certain modes of behaviour expressing affection, which are established still earlier in creatures lower than man there are established certain modes of behaviour expressing subjection.

After recognizing this fact we shall be prepared to recognize the fact that daily intercourse among the lowest savages whose small loose groups, scarcely to be called social are without political or religious regulation is under a considerable amount of ceremonial regulation. No ruling agency beyond that arising from personal superiority, characterizes a horde of Australians but every such horde has imperative observances. Strangers meeting must remain some time silent, a rule from an encampment approach has to be heralded by loud *cooys* a green bough is used as an emblem of peace, and brotherly feeling is indicated by exchange of names. Similarly the Tasmanians, equally devoid of government save that implied by predominance of a leader during war, had settled ways of indicating peace and defiance. The Esquimaux, too though without social ranks or anything like chieftainship, have understood usages for the treatment of guests.

Kindred evidence may be joined with this. Ceremonial control is highly developed in many places where other forms of control are but rudimentary. The wild Comanche 'exact the observance of his rules of etiquette from strangers,' and 'is greatly offended' by any breach of them. When Araucanians meet the inquiries, felicitations and condolences which custom demands are so elaborate that the formality occupies ten or fifteen minutes. Of the ungoverned Bedouins we

read that "their manners are sometimes dashed with a strange ceremoniousness," and the salutations of Arabs are such that the "compliments in a well-bred man never last less than ten minutes" "We were particularly struck," says Livingstone, "with the punctiliousness of manners shown by the Balonda" "The Malagasy have many different forms of salutation, of which they make liberal use . . . Hence in their general intercourse there is much that is stiff, formal, and precise" A Samoan orator, when speaking in Parliament, "is not contented with a mere word of salutation, such as 'gentlemen,' but he must, with great minuteness, go over the names and titles, and a host of ancestral references, of which they are proud"

That ceremonial restraint, preceding other forms of restraint, continues ever to be the most widely-diffused form of restraint, we are shown by such facts as that in all intercourse between members of each society, the decisively governmental actions are usually prefaced by this government of observances The embassy may fail, negotiation may be brought to a close by war, coercion of one society by another may set up wider political rule with its peremptory commands, but there is habitually this more general and vague regulation of conduct preceding the more special and definite. So within a community, acts of relatively stringent control coming from ruling agencies, civil and religious, begin with and are qualified by, this ceremonial control, which not only initiates but, in a sense, envelops all other. Functionaries, ecclesiastical and political, coercive as their proceedings may be, conform them in large measure to the requirements of courtesy The priest, however arrogant his assumption, makes a civil salute, and the officer of the law performs his duty subject to certain propitiatory words and movements

'Yet another indication of primordialism may be named

This species of control establishes itself anew with every fresh relation among individuals. Even between intimates greetings signifying continuance of respect, begin each renewal of intercourse. And in presence of a stranger, say in a railway carriage, a certain self-restraint, joined with some small act like the offer of a newspaper, shows the spontaneous rise of a propitiatory behaviour such as even the rudest of mankind are not without.

So that the modified forms of action caused in men by the presence of their fellows, constitute that comparatively vague control out of which other more definite controls are evolved—the primitive undifferentiated kind of government from which the political and religious governments are differentiated, and in which they ever continue immersed.

§ 314 This proposition looks strange mainly because when studying less advanced societies, we carry with us our developed conceptions of law and religion. Swayed by them we fail to perceive that what we think the essential parts of sacred and secular regulations were originally subordinate parts, and that the essential parts consisted of ceremonial observances.

It is clear *a priori*, that this must be so if social phenomena are evolved. A political system or a settled cult cannot suddenly come into existence but implies pre-established subordination. Before there are laws, there must be submission to some potentate enacting and enforcing them. Before religious obligations are recognized there must be acknowledged one or more supernatural powers. Evidently then the behaviour expressing obedience to a ruler, visible or invisible must precede in time the civil or religious restraints he imposes. And this inferable precedence of ceremonial government is a precedence we everywhere find.

How in the political sphere fulfilment of forms implying subordination is the primary thing early European history

shows us During times when the question, who should be master, was in course of settlement, now in small areas and now in larger areas uniting them, there was scarcely any of the regulation which developed civil government brings, but there was insistence on allegiance humbly expressed While each man was left to guard himself, and blood-feuds between families were unchecked by the central power—while the right of private vengeance was so well recognized that the Salic law made it penal to carry off enemies' heads from the stakes on which they were exhibited near the dwellings of those who had killed them, there was a rigorous demanding of oaths of fidelity to political superiors and periodic manifestations of loyalty Simple homage, growing presently into liege homage, was paid by smaller rulers to greater, and the vassal who, kneeling ungirt and swordless before his suzerain, professed his subjection and then entered on possession of his lands, was little interfered with so long as he continued to display his vassalage in court and in camp Refusal to go through the required observances was tantamount to rebellion, as at the present time in China, where disregard of the forms of behaviour prescribed towards each grade of officers, "is considered to be nearly equivalent to a rejection of their authority" Among peoples in lower stages this connexion of social traits is still better shown The extreme ceremoniousness of the Tahitians, "appears to have accompanied them to the temples, to have distinguished the homage and the service they rendered to their gods, to have marked their affairs of state, and the carriage of the people towards their rulers, to have pervaded the whole of their social intercourse" Meanwhile, they were destitute "of even oral laws and institutes" there was no public administration of justice Again, if any one in Tonga neglected the proper salute in presence of a superior noble, some calamity from the gods was expected as a punishment for the omission, and Mairmei's list of Tongan virtues commences with "paying

the double of the dead man, were continued on larger scales where the double of the dead man was especially feared—when we find that fasting as a funeral rite gave origin to religious fasting, that praises of the deceased and prayers to him grew into religious praises and prayers; we are shown why primitive religion consisted almost wholly of propitiatory observances. Though in certain rude societies now existing, one of the propitiations is the repetition of injunctions given by the departed father or chief, joined in some cases with expressions of penitence for breach of them, and though we are shown by this that from the outset there exists the germ out of which grow the sanctified precepts eventually constituting important adjuncts to religion, yet, since the supposed supernatural beings are at first conceived as retaining after death the desires and passions that distinguished them during life, this rudiment of a moral code is originally but an insignificant part of the cult. The due rendering of those offerings and praises and marks of subordination by which the goodwill of the ghost or god is to be obtained, forming the chief part.

Everywhere proofs occur. We read of the Tahitians that “religious rites were connected with almost every act of their lives,” and it is so with the uncivilized and semi-civilized in general. The Sandwich Islanders, along with little of that ethical element which the conception of religion includes among ourselves, had a rigorous and elaborate ceremonial. Noting that *tabu* means literally, “sacred to the gods,” I quote from Ellis the following account of its observance in Hawaii —

“During the season of strict *tabu*, every fire or light in the island or district must be extinguished, no canoe must be launched on the water, no person must bathe, and except those whose attendance was required at the temple, no individual must be seen out of doors; no dog must bark, no pig must grunt, no cock must crow. On these occasions they tied up the mouths of the dogs and pigs, and put the fowls under a calabash, or fastened a piece of cloth over their eyes.”

Christianity, originally a renewed development of the ethical element at the expense of the ceremonial element, losing as it spread those early traits which distinguished it from lower creeds, displayed in mediæval Europe, a relatively large amount of ceremony and a relatively small amount of morality. In the Rule of St Benedict, nine chapters concern the moral and general duties of the brothers, while thirteen concern the religious ordinances. And how criminality was ascribed to disregard of such ordinances, the following passage from the Rule of St Columbanus shows —

“A year’s penance for him who loses a consecrated wafer, six months for him who suffers it to be eaten by mites, twenty days for him who lets it turn red, forty days for him who contemptuously flings it into water, twenty days for him who brings it up through weakness of stomach, but, if through illness, ten days. He who neglects his Amen to the Benedicite, who speaks when eating, who forgets to make the sign of the cross on his spoon, or on a lantern lighted by a younger brother, is to receive six or twelve stripes.”

That from the times when men condoned crimes by building chapels or going on pilgrimages, down to present times when barons no longer invade one another’s territories or torture Jews, there has been a decrease of ceremony along with an increase of morality, is clear, though if we look at unadvanced parts of Europe, such as Naples or Sicily, we see that even now observance of rites is in them a much larger component of religion than obedience to moral rules. And when we remember how modern is Protestantism, which, less elaborate and imperative in its forms, does not habitually compound for transgressions by acts expressing subordination, and how recent is the spread of dissenting Protestantism, in which this change is carried further, we are shown that postponement of ceremony to morality characterizes religion only in its later stages.

Mark, then, what follows. If the two kinds of control which eventually grow into civil and religious governments, originally include scarcely anything beyond observance of

ceremonies, the precedence of ceremonial control over other controls is a corollary

§ 345 Divergent products of evolution betray their kinship by severally retaining certain traits which belonged to that from which they were evolved and the implication is that whatever traits they have in common, arose earlier in time than did the traits which distinguish them from one another. If fish, reptiles, birds and mammals all possess vertebral columns it follows, on the evolution hypothesis that the vertebral column became part of the organization at an earlier period than did the teeth in sockets and the mammae which distinguish one of these groups, or than did the toothless beak and the feathers which distinguish another of these groups and so on. Applying this principle in the present case, it is inferable that if the controls classed as civil, religious, and social have certain common characters, such characters older than are these now differentiated controls, must have belonged to the primitive control out of which they developed. Ceremonies, then, have the highest antiquity for these differentiated controls all exhibit them.

There is the making of presents this is one of the acts showing subordination to a ruler in early stages, it is a religious rite performed originally at the grave and later on at the altar and from the beginning it has been a means of propitiation in social intercourse. There are the obeisances these, of their several kinds, serve to express reverence in its various degrees to gods, to rulers and to private persons here the prostration is habitually seen, now in the temple, now before the monarch, now to a powerful man here there is genuflection in presence of idols, rulers, and fellow subjects here the salaam is more or less common to the three cases here uncovering of the head is a sign alike of worship, of loyalty, and of respect; and here the bow serves the same three

purposes. Similarly with titles. father is a name of honour applied to a god, to a king, and to an honoured individual, so too is lord, so are sundry other names. The same thing holds of humble speeches professions of inferiority and obedience on the part of the speaker, are used to secure divine favour, the favour of a ruler, and the favour of a private person. Once more, it is thus with words of praise telling a deity of his greatness constitutes a large element of worship, despotic monarchs are addressed in terms of exaggerated eulogy, and where ceremony is dominant in social intercourse, extravagant compliments are addressed to private persons.

In many of the less advanced societies, and also in the more advanced that have retained early types of organization, we find other examples of observances expressing subjection, which are common to the three kinds of control—political, religious, and social. Among Malayo-Polynesians the offering of the first fish and of first fruits, is a mark of respect alike to gods and to chiefs, and the Fijians make the same gifts to their gods as they do to their chiefs—food, turtles, whale's-teeth. In Tonga, "if a great chief takes an oath, he swears by the god, if an inferior chief takes an oath, he swears by his superior relation, who, of course, is a greater chief." In Fiji, "all are careful not to tread on the threshold of a place set apart for the gods. persons of rank stride over, others pass over on their hands and knees. The same form is observed in crossing the threshold of a chief's house." In Siam, "at the full moon of the fifth month the Talapoins [priests] wash the idol with perfumed water. The people also wash the Sancrats and other Talapoins, and then in the families children wash their parents." China affords good instances. "At his accession, the Emperor kneels thrice and bows nine times before the altar of his father, and goes through the same ceremony before the throne on which is seated the Empress Dowager. On his then ascending his throne, the great

officers, marshalled according to their ranks kneel and bow nine times." And the equally ceremonious Japanese furnish kindred evidence "From the Emperor to the lowest subject in the realm there is a constant succession of prostrations. The former, in want of a human being superior to himself in rank, bows humbly to some pagan idol and every one of his subjects from prince to peasant has some person before whom he is bound to cringe and crouch in the dirt." religious, political, and social subordination are expressed by the same form of behaviour.

These indications of a general truth which will be abundantly exemplified when discussing each kind of ceremonial observance. I here give in brief as further showing that the control of ceremony precedes in order of evolution the civil and religious controls and must therefore be first dealt with.

§ 346 On passing to the less general aspects of ceremonial government we are met by the question—How do there arise those modifications of behaviour which constitute it? Commonly it is assumed that they are consciously chosen as symbolizing reverence or respect. After their usual manner of speculating about primitive practices men read back developed ideas into undeveloped minds. The supposition is allied to that which originated the social-contract theory—a kind of conception that has become familiar to the civilized man is assumed to have been familiar to man in his earliest state. But just as little basis as there is for the belief that savages deliberately made social contracts is there for the belief that they deliberately adopted symbols. The error is best seen on turning to the most developed kind of symbolization—that of language. An Australian or a Fuegian does not sit down and knowingly coin a word but the words he finds in use, and the new ones which come into use during his life grow up unawares by onomatopœia or by vocal suggestions of qualities or by metaphor which some observable likeness

suggests Among civilized peoples, however, who have learnt that words are symbolic, new words are frequently chosen to symbolize new ideas So, too, is it with written language. The early Egyptian never thought of fixing on a sign to represent a sound, but his records began, as those of North American Indians begin now, with rude pictures of the transactions to be kept in memory, and as the process of recording extended, the pictures, abbreviated and generalized, lost more and more their likenesses to objects and acts, until, under stress of the need for expressing proper names, some of them were used phonetically, and signs of sounds came into existence But, in our days, there has been reached a stage at which, as shorthand shows us, special marks are consciously selected to signify special sounds

The lesson taught is obvious As it would be an error to conclude that because we knowingly choose sounds to symbolize ideas, and marks to symbolize sounds, the like was originally done by savages and by barbarians, so it is an error to conclude that because among the civilized certain ceremonies (say those of freemasons) are arbitrarily fixed upon, so ceremonies were arbitrarily fixed upon by the uncivilized Already, in indicating the primitiveness of ceremonial control, I have named some modes of behaviour expressing subordination which have a natural genesis, and here the inference to be drawn is, that until we have found a natural genesis for a ceremony, we have not discovered its origin The truth of this inference will seem less improbable on observing sundry ways in which spontaneous manifestations of emotion initiate formal observances

The ewe bleating after her lamb that has strayed, and smelling now one and now another of the lambs near her, but at length, by its odour, identifying as her own one that comes running up, doubtless, thereupon, experiences a wave of gratified maternal feeling, and by repetition there is established between this odour and this pleasure, such an association that the first habitually produces the last the

smell becomes, on all occasions, agreeable by serving to bring into consciousness more or less of the philoprogenitive emotion. That among some races of men individuals are similarly identified, the Bible yields proofs. Though Isaac with senses dulled by age fails thus to distinguish his sons from one another yet the fact that, unable to see Jacob and puzzled by the conflicting evidence his voice and his hands furnished, "he smelled the smell of his raiment and blessed him" shows that different persons even members of the same family were perceived by the Hebrews to have their specific odours. And that perception of the odour possessed by one who is loved, yields pleasure proof is given by another Asiatic race. Of a Mongol father, Tim Lowski writes — "He smelt from time to time the head of his youngest son a mark of paternal tenderness usual among the Mongols instead of embracing." In the Philippine Islands "the sense of smell is developed to so great a degree that they are able by smelling at the pocket-handkerchiefs to tell to which persons they belong and lovers at parting exchange pieces of the linen they may be wearing and during their separation inhale the odour of the beloved being, besides smothering the relief with kisses." So, too, with the Chittagong Hill people the 'manner of kissing is peculiar. Instead of pressing lip to lip, they place the mouth and nose upon the cheek, and inhale the breath strongly. Their form of speech is not 'Give me a kiss' but 'smell me.' Similarly 'the Burmese do not kiss each other in the western fashion but apply the lips and nose to the cheek and make a strong inhalation. And now note a sequence. Inhalation of the odour given off by a loved person coming to be a mark of affection for him or for her it happens that since men wish to be liked and are pleased by display of liking the performance of this act which signifies liking imitates a complimentary observance and gives rise to certain modes of showing respect. The Samoans salute by "juxtaposition of noses,

accompanied not by a rub, but a hearty smell. They shake and smell the hands also, especially of a superior." And there are like salutes among the Esquimaux and the New Zealanders.

The alliance between smell and taste being close, we may naturally expect a class of acts which arise from tasting, parallel to the class of acts which smelling originates, and the expectation is fulfilled. Obviously the billing of doves or pigeons and the like action of love-birds, indicates an affection which is gratified by the gustatory sensation. No act of this kind on the part of an inferior creature, as of a cow licking her calf, can have any other origin than the direct prompting of a desire which gains by the act satisfaction, and in such a case the satisfaction is that which vivid perception of offspring gives to the maternal yearning. In some animals like acts arise from other forms of affection. Licking the hand, or, where it is accessible, the face, is a common display of attachment on a dog's part, and when we remember how keen must be the olfactory sense by which a dog traces his master, we cannot doubt that to his gustatory sense, too, there is yielded some impression—an impression associated with those pleasures of affection which his master's presence gives. The inference that kissing, as a mark of fondness in the human race, has a kindred origin, is sufficiently probable. Though kissing is not universal—though the Negro races do not understand it, and though, as we have seen, there are cases in which sniffing replaces it—yet, being common to unlike and widely-dispersed peoples, we may conclude that it originated in the same manner as the analogous action among lower creatures. Here, however, we are chiefly concerned to observe the indirect result. From kissing as a natural sign of affection, there is derived the kissing which, as a means of simulating affection, gratifies those who are kissed, and, by gratifying them, propitiates them. Hence an obvious root for the kissing of feet, hands, garments, as a part of ceremonial.

Feeling, sensational or emotional, causes muscular contractions, which are strong in proportion as it is intense, and, among other feelings those of love and liking have an effect of this kind, which takes on its appropriate form. The most significant of the actions hence originating is not much displayed by inferior creatures, because their limbs are unfitted for prehension but in the human race its natural genesis is sufficiently manifest. Mentioning a mother's embrace of her child, will remind all that the strength of the embrace (unless restrained to prevent mischief) measures the strength of the feeling, and while reminded that the feeling thus naturally vents itself in muscular actions, they may further see that these actions are directed in such ways as to give satisfaction to the feeling by yielding a vivid consciousness of possession. That between adults allied emotions originate like acts, scarcely needs adding.

It is not so much these facts, however as the derived facts, which we have to take note of. Here is another root for a ceremony—an embrace, too serving to express liking serves to propitiate in cases where it is not negatived by those observances which subjection entails. It occurs where governmental subordination is but little developed. Of some Snake Indians we read 'the three men immediately leaped from their horses came up to Captain Lewis and embraced him with great cordiality. Marcy tells of a Comanche that "seizing me in his brawny arms while we were yet in the saddle, and laying his greasy head upon my shoulder, he inflicted upon me a most brain like squeeze. And Snow says, the Fuegian friendly mode of salutation was anything but agreeable. The men came and hugged me, very much like the grip of a bear.'

Discharging itself in muscular actions which in cases like the foregoing are directed to an end feeling, in other cases discharges itself in undirected muscular actions. The resulting changes are habitually rhythmical. Each considerable movement of a limb brings it to a position at which a

counter-movement is easy; both because the muscles producing the counter-movement are then in the best positions for contraction, and because they have had a brief rest. Hence the naturalness of striking the hands together or against other parts. We see this as a spontaneous manifestation of pleasure among children, and we find it giving origin to a ceremony among the uncivilized. Clapping of the hands is "the highest mark of respect" in Loango, and it occurs with kindred meaning among the Coast Negroes, the East Africans, the Dahomans. Joined with other acts expressing welcome, the people of Batoka "slap the outsides of their thighs," the Balonda people, besides clapping their hands, sometimes "in saluting, drum their ribs with their elbows," while in Dahomey, and some kingdoms on the Coast, snapping the fingers is one of the salutes. Rhythmical muscular motions of the arms and hands, thus expressing pleasure, real or pretended, in presence of another person, are not the only motions of this class: the legs come into play. Children often "jump for joy," and occasionally adults may be seen to do the like. Saltatory movements are therefore apt to grow into compliments. In Loango "many of the nobility salute the king by leaping with great strides backward and forward two or three times and swinging their arms." The Fuegians also, as the United States explorers tell us, show friendship "by jumping up and down"*

Feeling, discharging itself, contracts the muscles of the vocal organs, as well as other muscles. Hence shouts, indi-

* In his *Early History of Mankind* (2nd ed pp 51-2), Mr Tylor thus comments on such observances:—"The lowest class of salutations, which merely aim at giving pleasant bodily sensations, merge into the civilities which we see exchanged among the lower animals. Such are patting, stroking, kissing, pressing noses, blowing, sniffing, and so forth. Natural expressions of joy, such as clapping hands in Africa, and jumping up and down in Tierra del Fuego, are made to do duty as signs of friendship or greeting." But, as indicated above, to give "pleasant bodily sensations" is not the aim of "the lowest class of salutations." Mr Tylor has missed the physio-psychological sources of the acts which initiate them.

ating joy in general, indicate the joy produced far from one who is beloved, and serve to give the appearance before one whose goodwill is sought. Among the Iroquois respect is "indicated by the *tama*, which is a shout of reverence uttered by inferiors when approaching a chief or chief town." In Australia, as we have seen, loud coos are made on coming within a mile of an encampment—an act which, while primarily indicating pleasure at the coming reunion further indicates those friendly intentions which a silent approach would render doubtful.

One more example may be named. Tears result from strong feeling—mostly from painful feeling, but also from pleasurable feeling when extreme. Hence as a sign of joy weeping occasionally passes into a complimentary observance. The beginning of such an observance is shown us by Hebrew traditions in the reception of Tobias by Raguel when he finds him to be his cousin's son—"Then Raguel leaped up, and kissed him and wept." And among some races there grows from this root a social rite. In New Zealand a meeting led to a warm *tangi* between the two parties but, after sitting opposite to each other for a quarter of an hour or more, crying bitterly, with a most piteous moaning and lamentation the *tangi* was transformed into a *hongi* and the two old ladies commenced pressing noses giving occasional satisfactory grunts." And then we find it becoming a public ceremony. On the arrival of a great chief "the women stood upon a hill and loud and long was the *tangi* to welcome his approach, occasionally, however they would leave off, to have a chat or a laugh and then mechanically resume their weeping." Other Malayo Polynesian have a like custom as have also the Tupis of South America.

To the examples of the ways in which natural manifestations of emotion originate ceremonies, may be added a few examples of the ways in which ceremonies not originating directly from spontaneous actions, nevertheless

counter-my natural sequence rather than by intentional ducing thion. Brief indications must suffice for food-relationships are formed in Central South Africa between those who imbibe a little of each other's blood. A like way of establishing brotherhood is used in Madagascar, in Borneo, and in many places throughout the world, and it was used among our remote ancestors. This is assumed to be a symbolic observance. On studying early ideas, however, and finding that the primitive man regards the nature of anything as inhering in all its parts, and therefore thinks he gets the courage of a brave enemy by eating his heart, or is inspired with the virtues of a deceased relative by grinding his bones and drinking them in water, we see that by absorbing each other's blood, men are supposed to establish actual community of nature.

Similarly with the ceremony of exchanging names. "To bestow his name upon a friend is the highest compliment that one man can offer another," among the Shoshones. The Australians exchange names with Europeans, in proof of brotherly feeling. This, which is a widely-diffused practice, arises from the belief that the name is vitally connected with its owner. Possessing a man's name is equivalent to possessing a portion of his being, and enables the possessor to work mischief to him, and hence among numerous peoples a reason for concealing names. To exchange names, therefore, is to establish some participation in one another's being, and at the same time to trust each with power over the other, implying great mutual confidence.

It is a usage among the people of Vate, "when they wish to make peace, to kill one or more of their own people, and send the body to those with whom they have been fighting to eat," and in Samoa, "it is the custom on the submission of one party to another, to bow down before their conquerors each with a piece of firewood and a bundle of leaves, such as are used in dressing a pig for the oven [bamboo-knives being sometimes added], as much as to say—'Kill us and

cook us, if you please." These facts I name because they show a point of departure from which might arise an apparently-artificial ceremony. Let the traditions of cannibalism among the Samoans disappear, and this surviving custom of presenting firewood, leaves, and knives, as a sign of submission would, in pursuance of the ordinary method of interpretation, be taken for an observance arbitrarily fixed upon.

The facts that peace is signified among the Dacotahs by burying the tomahawk and among the Brazilians by a present of bows and arrows may be cited as illustrating what is in a sense symbolization but what is in origin a modification of the proceeding symbolized, for cessation of fighting is necessitated by putting away weapons or by giving weapons to an antagonist. If, as among the civilized, a conquered enemy delivers up his sword the act of so making himself defenceless is an act of personal submission but eventually it comes to be on the part of a general, a sign that his army surrenders. Similarly when as in parts of Africa some of the free blacks become slaves voluntarily by going through the simple but significant ceremony of breaking a spear in the presence of their future master" we may properly say that the relation thus artificially established is as near an approach as may be to the relation established when a foe whose weapon is broken is made a slave by his captor. the symbolic transaction simulates the actual transaction.

An instructive example comes next. I refer to the bearing of green boughs as a sign of peace or an act of propitiation and as a religious ceremony. As indicating peace the custom occurs among the Araucanians, Australians, Tasmanians, New Guinea People, New Caledonians, Sandwich Islanders, Tahitians, Samoans, New Zealanders, and branches were used by the Hebrews also for propitiatory approach (II Macc xiv 17). In some cases we find them employed to signify not peace only but submission.

Speaking of the Peruvians, Cieza says—"The men and boys came out with green boughs and palm-leaves to seek for mercy," and among the Greeks, too, a suppliant carried an olive branch. Wall-paintings left by the ancient Egyptians show us palm-branches carried in funeral processions to propitiate the dead, and at the present time "a wreath of palm-branches stuck in the grave" is common in a Moslem cemetery in Egypt. A statement of Wallis respecting the Tahitians shows presentation of these parts of trees passing into a religious observance—a pendant

in their hands that they were weaponless. They practised the art of holding their spears between their toes as they walked. "the black approaching him in pretended amity, trailed between his toes the fatal spear." Arbitrary, then, as this usage seems when observed in its later forms only, we find it by no means arbitrary when traced back to its origin. Taken as proof that the advancing stranger is without arms the green bough is primarily a sign that he is not an enemy. It is thereafter joined with other marks of friendship. It survives when propitiation passes into submission. And so it becomes incorporated with various other actions which express reverence and worship.

One more instance I must add, because it clearly shows how there grow up interpretations of ceremonies as artificially-dvised actions, when their natural origins are unknown. At Arab marriages Baker says "there is much feasting and the unfortunate bridegroom undergoes the ordeal of whipping by the relations of his bride, in order to test his courage."

If the happy husband wishes to be considered a man worth having he must receive the chastisement with an expression of enjoyment in which case the crowds of women in admiration again raise their thrilling cry.' Here instead of the primitive abduction violently resisted by the woman and her relatives—instead of the actual capture required to be achieved as among the *hamschadales* spite of the blows and wounds inflicted by all the women in the village—instead of those modifications of the 'form of capture' in which, along with mock pursuit there goes receipt by the abductor of more or less violence from the pursuers; we have a modification in which pursuit has disappeared, and the violence is passively received. And then there arises the belief that this mutilation of the bridegroom is a deliberate and the only way to 'test his courage.'

These facts are not given as a query by proving that in all cases ceremonies are modifications of actions which had

sidered indiscriminately as ghost and god is not to be distinguished, when he appears, from the living man we cannot fail to see the alliance in nature between the functions of those who minister to the ruler who has gone away and those who minister to the ruler who has taken his place. What remaining strangeness there may seem in this assertion of homology disappears on remembering that in sundry ancient societies living kings were literally worshipped as dead kings were.

Social organisms that are but little differentiated clearly show us several aspects of this kinship. The savage chief proclaims his own great deeds and the achievements of his ancestors and that in some cases this habit of self-praise long persists. Egyptian and Assyrian inscriptions prove. Among the Patagonians we see a transition beginning. A ruler haranguing his subjects, always extols his own prowess and personal merit. When he is eloquent, he is greatly esteemed and when a cacique is not endowed with that accomplishment he generally has an orator, who supplies his place. Permanent advance from the stage at which the head man lauds himself, to the stage at which laudation of him is done by deputy is well typified in the contrast between the recent usage in Madagascar where the king in public assembly was in the habit of relating "his origin, his descent from the line of former sovereigns and his incontestable right to the kingdom" and the usage that existed in past times among ourselves when the like distinctions and claims of the king were publicly asserted for him by an appointed officer. As the ruler extending his dominions and growing in power gathers round him more numerous agents, the utterance of praiseworthy praises at first by all of these becomes eventually distinctive of certain among them there are official glorifiers. In Samoa a chief in travelling is attended by his principal orator. In Fiji each tribe has its orator to make orations on occasions of ceremony. The

tendants of the chiefs in Ashantee eagerly vociferate the "strong names" of their masters, and a recent writer describes certain of the king's attendants whose duty it is to "give him names"—cry out his titles and high qualities. In kindred fashion a Yoruba king, when he goes abroad, is accompanied by his wives, who sing his praises. Now when we meet with facts of this kind—when we read that in Madagascar "the sovereign has a large band of female singers, who attend in the courtyard, and who accompany their monarch whenever he takes an excursion, either for a shortening or distant journey," when we are told that in China "his imperial majesty was preceded by persons loudly proclaiming his virtues and his power," when we learn that among the ancient Chibchas the bogotá was received with "songs in which they sung his deeds and victories," we cannot deny that these assertors of greatness and singers of praises do for the living king exactly that which priests and priestesses do for the dead king, and for the god who evolves from the dead king.

In societies that have their ceremonial governments largely developed, the homology is further shown. As such societies ordinarily have many gods of various powers, severally served by their official glorifiers, so they have various grades of living potentates, severally served by men who assert their greatness and demand respect. In Samoa, "a herald runs a few paces before, calling out, as he meets any one, the name of the chief who is coming." With a Madagascar chief in his palanquin, "one or two men with assagais, or spears, in their hands, ran along in front shouting out the name of the chief." In advance of an ambassador in Japan there "first walked four men with brooms such as always precede the retinue of a great lord, in order to admonish the people with cries of 'Stay, stay!' which means, 'Sit, or bow you down'." In China a magistrate making a progress is

* Mr Ernest Satow, writing from Japan to suggest some corrections, says—this cry should be "*shuta ni, shuta ni, Down! Down!* (*ie* on your knees)"

preceded by men bearing "red boards having the rank of the officer painted on them running and shouting to the street passengers, 'Retire, retire! keep silence, and clear the way! Gong strikers follow, denoting at certain intervals by so many strokes their master's grade and office" And in ancient Rome men of rank had their *anteambulones* whose cry was 'Give place to my lord.' Another parallelism exists between the official who proclaims the king's will and the official who proclaims the will of the deity. In many places where regal power is extreme, the monarch is either invisible or cannot be directly communicated with the living ruler thus simulating the dead and divine ruler and requiring kindred intermediators. It was thus among the ancient Assyrians. Their monarch could be spoken to only through the Vizier or the chief eunuch. It was thus in ancient Mexico. Of Montezuma II it is said that 'no commoner was to look him in the face, and if one did, he died for it,' and further, that he did not communicate with any one "except by an interpreter." In Nicaragua the encliques carried their exclusion so far as to receive messages from other chiefs only through officers delegated for that purpose." So of Peru, where some of the rulers "had the custom not to be seen by their subjects but on rare occasions," we read that at the first interview with the Spaniards, 'Atahualpa gave no answer nor did he even raise his eyes to look at the captain (Hernando de Soto). But a chief replied to what the captain had said." With the Chubchas the first of the court officers was the crier, as they said that he was the medium by which the will of the prince was explained." Throughout Africa at the present time it is the same. 'In conversation with the King of Uganda, the words must always be transmitted through one or more of his officers.' In Dahomey the foreign words are spoken to the men who inform the interpreter who passes it on to the visitor and the answer must trickle back through the same

CEREMONY IN GENERAL.

channels" And, concerning Abyssinia, where chiefs sit in their houses in darkness, so "that vulgar may not gaze too plainly upon" them, we are told that he was not seen when sitting in council, but "sat in a dark room," and "observed through a window what was on in the chamber without," and also that he had an interpreter, who was the medium of communication between the king and his people on state occasions, his name being the voice or word of the king' I may add that the parallelism between the secular and sacred age communication is in some cases recognized by peoples and institutions display it. The New Zealand priests are regarded as the "ambassadors of the gods," and the "messengers of the gods" is borne by the officers of the temple of Tensio dai Sin, the chief deity of the Japanese.

There is a further evidence of this homology. Along with social development considerably advanced, ancestor-worship has remained dominant, and where women and men are consequently but little differentiated, the organizations are but little differentiated. In ancient China "it was the priesthood, directing the ceremonial of life, who exacted . . . that the king (belonging to the order) did not receive anyone who failed to follow the rules of purity" China furnishes a good instance. Chinese emperors are in the habit of deifying . . . or military officers, whose life has been characterized by some memorable act, and the worship rendered to them constitute the official religion of the mandarins" For the emperor "confers various titles on officers who have left the world, and shown themselves worthy of the trust reposed in them, creating them governors, presidents, overseers, &c, in Hades" And then we learn that the department of the Li pu, or Board of Rites, regulates the etiquette to be observed at court, the dresses, carriage and riding accoutrements, the followers and insignia, and another department superintends the rites to be observed

worshipping deities and spirits of departed monarchs, sages, and worthies, &c. statements showing that the same board regulates both religious ceremonial and civil ceremonial To which summarized account I may add this quotation — “in Court the master of ceremonies stands in a conspicuous place and with a loud voice commands the courtiers to rise and kneel, stand or march,” that is, he directs the worshippers of the monarch as a chief priest directs the worshippers of the god. Equally marked were, until lately the kindred relations in Japan With the sacredness of the Mikado and with his god like inaccessibility, travellers have familiarized us, but the implied confusion between the divine and the human went to a much greater extent

The Japanese generally are imbued with the idea that their land is a real *shin koku*, a *kami no kuni* — that is the land of spiritual beings or kingdom of spirits They are led to think that the emperor rules over all, and that among other subordinate powers he rules over the spirits of the country He rules over men and is to them the fountain of honour; and this is not confined to honours 'n this world but is extended to the other where they are advanced from rank to rank by the orders of the emperor”

And then we read that under the Japanese cabinet, one of the eight administrative boards, the *Ji Bu shio*, “deals with the forms of society, manners, etiquette, worship, ceremonies for the living and the dead.” *

Western peoples among whom during the Christian era differentiation of the divine from the human has become very decided exhibit in a less marked manner the homology between the ceremonial organization and the ecclesiastical organization Still it is or rather was once clearly traceable In feudal days beyond the lord high chamberlain grand masters of ceremonies ushers, and so forth belong

ing to royal courts, and the kindred officers found in the households of subordinate rulers and nobles (officers who conducted proprietary observances), there were the heralds. These formed a class of ceremonial functionaries, in various ways resembling a priesthood. Just nothing as significant the remark of Scott that "so intimate was the union between chivalry and religion esteemed to be, that the several gradations of the former were seriously considered as parallel to those of the Church," I go on to point out that these officers pertaining to the institution of chivalry, formed a body which, where it was highly organized, as in France, had five ranks—*chevalier*, *poursuivant d'armes*, *heraut d'armes*, *roi d'armes*, and *roi d'armes de France*. Into these ranks successively, its members were initiated by a species of baptism—wine being substituted for water. They held periodic chapters in the church of St. Antoine. When bearing mandates and messages, they were similarly dressed with their masters, royal or noble, and were similarly honoured by those to whom they were sent having thus a deputed dignity akin to the deputed sacredness of priests. By the chief king-at-arms and five others, local visitations were made for discipline, as ecclesiastical visitations were made. Heralds verified the titles of those who aspired to the distinctions of chivalry, as priests decided on the fitness of applicants for the sanctions of the Church, and when going their circuits, they were to correct "things ill and dishonest," and to advise princes—duties allied to those of priests. Besides announcing the wills of earthly rulers as priests announced the wills of heavenly rulers, they were glorifiers of the first as priests were of the last part of their duty to those they served being "to publish their praises in foreign lands." At the burials of kings and princes, where observances for honouring the living and observances for honouring the dead, came in contact, the kinship of a herald's function to the function of a priest was again shown, for besides putting in

the tomb the insignia of rank of the deceased potentate, and in that manner sacrificing to him, the herald had to write, or get written, a eulogy—had to initiate that worship of the dead out of which grow higher forms of worship. Similar, if less elaborate, was the system in England. Heralds wore crowns, had royal dresses, and used the plural "we." Anciently there were two heraldic provinces, with their respective chief heralds, like two dioceses. Further development produced a garter king-at-arms, with provincial kings-at-arms presiding over minor heraldic officers, and in 1483, all were incorporated into the College of Heralds. As in France visitations were made for the purpose of verifying existing titles and honours, and authorizing others, and funeral rites were so far under heraldic control that, among the nobility, no one could be buried without the assent of the herald.

Why these structures which discharged ceremonial functions once conspicuous and important, dwindled, while civil and ecclesiastical structures developed, it is easy to see. Propitiation of the living has been, from the outset, necessarily more localized than propitiation of the dead. The existing ruler can be worshipped only in his presence, or, at any rate within his dwelling or in its neighbourhood. Though in Peru adoration was paid to images of the living Yncas, and though in Madagascar King Radama, when absent had his praises sung in the words—"God is gone to the west. Radama is a mighty bull;" yet generally, the obeisances and laudations expressing subordination to the great man while alive are not made when they cannot be witnessed by him or his immediate dependants. But when the great man dies and there begins the fear of his ghost conceived as able to reappear anywhere propitiations are less narrowly localized, and in proportion as, with formation of larger societies, there comes development of duties greater in supposed power and range, dread of them and reverence for them are felt simultaneously by ever wider

areas. Hence the official propitiators, multiplying and spreading, severally carry on their worships in many places at the same time—there arise large bodies of ecclesiastical officials.

Not for these reasons alone, however, does the ceremonial organization fail to grow as the other organizations do. Development of the latter, causes decay of the former. During early stages of social integration, local rulers have their local courts with appropriate officers of ceremony, but the process of consolidation and increasing subordination to a central government, results in decreasing dignity of the local rulers, and disappearance of the official upholders of their dignity. Among ourselves in past times, “dukes, marquises, and earls were allowed a herald and a pursuivant, viscounts, and barons, and others not ennobled, even knights bannerets, might retain one of the latter,” but as the regal power grew, “the practice gradually ceased there were none so late as Elizabeth’s reign.”

Yet further, the structure carrying on ceremonial control slowly falls away, because its functions are gradually encroached upon. Political and ecclesiastical regulations, though at first insisting mainly on conduct expressing obedience to rulers, human and divine, develop more and more in the directions of equitable restraints on conduct between individuals, and ethical precepts for the guidance of such conduct, and in doing this they trench more and more on the sphere of the ceremonial organization. In France, besides having the semi-priestly functions we have noted, the heralds were “judges of the crimes committed by the nobility,” and they were empowered to degrade a transgressing noble, confiscate his goods, raze his dwellings, lay waste his lands, and strip him of his arms. In England, too, certain civil duties were discharged by these officers of ceremony. Till 1688, the provincial kings-at-arms had “visited their divisions, receiving commissions for that purpose from the Sovereign, by which means the funeral certificates, the descents, and alliances of the nobility

and gentry, had been properly registered in this college [of Heralds] These became records in all the courts at law " Evidently the assumption of functions of these kinds by ecclesiastical and political agents, has joined in reducing the ceremonial structures to those rudiments which now remain in the almost-forgotten Herald's College and in the Court officials who regulate intercourse with the Sovereign.

§ 348 Before passing to a detailed account of ceremonial government under its various aspects, it will be well to sum up the results of this preliminary survey They are these

That control of conduct which we distinguish as ceremony precedes the civil and ecclesiastical controls. It begins with sub human types of creatures, it occurs among otherwise ungoverned savages, it often becomes highly developed where the other kinds of rule are little developed, it is ever being spontaneously generated afresh between individuals in all societies and it envelops the more definite restraints which State and Church exercise The primitiveness of ceremonial regulation is further shown by the fact that at first, political and religious regulations are little more than systems of ceremony, directed towards particular persons living and dead the code of law joined with the one, and the moral code joined with the other coming later There is again the evidence derived from the possession of certain elements in common by the three controls social political, and religious, for the forms observable in social intercourse occur also in political and religious intercourse as forms of homage and forms of worship More significant still is the circumstance that ceremonies may mostly be traced back to certain spontaneous acts which manifestly precede legislation, civil and ecclesiastical. Instead of arising by dictation or by agreement which would imply the pre-established organization required for making and enforcing rules they arise

by modifications of acts performed for personal ends, and so prove themselves to grow out of individual conduct before social arrangements exist to control it. Lastly we note that when there arises a political head, who, demanding subordination, is at first his own master of the ceremonies, and who presently collects round him attendants whose propitiatory acts are made definite and fixed by repetition, there arise ceremonial officials. Though, along with the growth of organizations which enforce civil laws and enunciate moral precepts, there has been such a decay of the ceremonial organization as to render it among ourselves inconspicuous, yet in early stages the body of officials who conduct propitiation of living rulers, supreme and subordinate, homologous with the body of officials who conduct propitiation of dead apotheosized rulers, major and minor, is a considerable element of the social structure, and it dwindles only as fast as the structures, political and ecclesiastical, which exercise controls more definite and detailed, usurp its functions.

Carrying with us these general conceptions, let us now pass to the several components of ceremonial rule. We will deal with them under the heads—Trophies, Mutilations, Presents, Visits, Obeisances, Forms of Address, Titles, Badges and Costumes, Further Class Distinctions, Fashion, Past and Future of Ceremony.

CHAPTER II.

TROPHIES.

§ 349. Efficiency of every kind is a source of self-satisfaction and proofs of it are prized as bringing applause. The sportsman narrating his feats when opportunity serves, keeps such spoils of the chase as he conveniently can. Is he a fisherman? Then, occasionally the notches cut on the butt of his rod, show the number and lengths of his salmon or in a glass case there is preserved the great Thames trout he once caught. Has he stalked deer? Then in his hall or dining room, are fixed up their heads, which he greatly esteems when the attached horns have many 'points.' Still more, if a successful hunter of tigers, does he value the skins demonstrating his prowess.

Trophies of such kinds even among ourselves, give to their owner some influence over those around him. A traveller who has brought from Africa a pair of elephant's tusks, or the formidable horn of a rhinoceros impresses those who come in contact with him as a man of courage and resource and therefore as one not to be trifled with. A vague kind of governing power accrues to him.

Naturally, by primitive men whose lives are predatory and whose respective values largely depend on their powers as hunters animal trophies are still more prized; and tend, in greater degrees to bring honour and influence.

Hence the fact that rank in Vate is indicated by the number of bones of all kinds suspended in the house. Of the Shoshone warrior we are told that, "killing a grizzly bear also entitles him to this honour, for it is considered a great feat to slay one of these formidable animals, and only he who has performed it is allowed to wear their highest insignia of glory, the feet or claws of the victim." "In the house of a powerful chief [of the Mishmis], several hundreds of skulls [of beasts], are hung up along the walls of the passage, and his wealth is always calculated according to the number of these trophies, which also form a kind of currency among the tribes." With the Santals "it is customary to hand these trophies [skulls of beasts, &c] down from father to son." And when, with such facts to give us the clue, we read that the habitation of the king of the Koossas "is no otherwise distinguished than by the tail of a lion or a panther hanging from the top of the roof," we can scarcely doubt that this symbol of royalty was originally a trophy displayed by a chief whose prowess had gained him supremacy.

But as, among the uncivilized and semi-civilized, human enemies are more to be feared than beast-enemies, and conquests over men are therefore occasions of greater triumphs than conquests over animals, it results that proofs of such conquests are usually still more valued. A brave who returns from battle does not get honour if his boasts are unsupported by evidence, but if he proves that he has killed his man by bringing back some part of him—especially a part which the corpse could not yield in duplicate—he raises his character in the tribe and increases his power. Preservation of such trophies with a view to display, and consequent strengthening of personal influence, therefore becomes an established custom. In Ashantee "the smaller joints, bones, and teeth of the slain are worn by the victors about their

persons' Among the Cerns and Opatas of North Mexico 'many cook and eat the flesh of their captives, reserving the bones as trophies' And another Mexican race "the Chichimecs, carried with them a bone on which, when they killed an enemy, they marked a notch as a record of the number each had slain"

The meaning of trophy taking and its social effects, being recognized, let us consider so groups the various forms of it

§ 350 Of parts cut from the bodies of the slain, heads are among the commonest probably as being the most unmistakable proofs of victory

We need not go far afield for examples of the practice and its motives. The most familiar of books contains them In Judges vii 25 we read— And they took two princes of the Midianites, Oreb and Zeeb and they slew Oreb upon the rock Oreb and Zeeb they slew at the wine press of Zeeb and pursued Midian, and brought the heads of Oreb and Zeeb to Gideon on the other side Jordan." Similarly the decapitation of Goliath by David was followed by carrying his head to Jerusalem The practice existed in Egypt too At Abou Simbel, Rameses II is represented as holding a bunch of a dozen heads And if by races so superior heads were taken home as trophies we shall not wonder at finding the custom of thus taking them among inferior races all over the globe By the Chichimecs in North America the heads of the slain were placed on poles and paraded through their villages in token of victory the inhabitants meanwhile dancing round them In South America by the Abipones heads are brought back from battle tied to their saddles and the Mundrucus ornament their rude and miserable cabins with the terrible trophies Of Malayo Polynesian having a like habit may be named the New Zealanders Skulls of enemies are preserved as

trophies by the natives on the Congo, and "the skull and thigh bones of the last monarch of Dinkira are still trophies of the court of Ashantee" Among the Hill-tribes of India, the Kukis have this practice In Persia, under the stimulus of money payments, "prisoners [of war] have been put to death in cold blood, in order that the heads, which are immediately dispatched to the king, . . . might make a more considerable show" And that among other Asiatic races head-taking persists spite of semi-civilization, we are reminded by the recent doings of the Turks, who have, in some cases, exhumed the bodies of slain foes and decapitated them

The last instance draws attention to the fact that this barbarous custom has been, and is, carried to the greatest extremes along with militancy the most excessive Among ancient examples there are the doings of Timour, with his exaction of ninety thousand heads from Bagdad Of modern examples the most notable comes from Dahomey "The sleeping apartment of a Dahoman king was paved with skulls of neighbouring princes and chiefs, placed there that the king might tread upon them" And the king's statement "that his house wanted thatch," was "used in giving orders to his generals to make war, and alludes to the custom of placing the heads of the enemies killed in battle, or those of the prisoners of distinction, on the roofs of the guard-houses at the gates of his palaces."

But now, ending instances, let us observe how this taking of heads as trophies initiates a means of strengthening political power, how it becomes a factor in sacrificial ceremonies, and how it enters into social intercourse as a controlling influence

That the pyramids and towers of heads built by Timour at Bagdad and Aleppo, must have conduced to his supremacy by striking terror into the subjugated, as well as by exciting dread of vengeance for insubordination among his followers, cannot be doubted, and that

living in a dwelling paved and decorated with skulls, implies in a Dahoman king, a character generating fear among enemies and obedience among subjects, is obvious. In Northern Celebes, where, before 1822, human skulls were the great ornaments of the chiefs' houses," these proofs of victory in battle used as symbols of authority, could not fail to exercise a governmental effect. And that they do this we have definite proof in the fact that among the Minndruens, the possession of ten smoke-dried heads of enemies renders a man eligible to the rank of chief.

That heads are offered in propitiation of the dead, and that the ceremony of offering them is thus made part of a quasi worship there are clear proofs. One is supplied by the Celebes people just named. "When a chief died his tomb must be adorned with two fresh human heads, and if those of enemies could not be obtained, slaves were killed for the occasion." Among the Dyaks who, though in many respects advanced, have retained this barbarous practice sanctified by tradition, it is the same. "the aged warrior could not rest in his grave till his relatives had taken a head in his name." By the Kinkis of Northern India sacrificial head taking is carried still farther. Making raids into the plains to procure heads, they 'have been known in one night to carry off fifty. These are used in certain ceremonies performed at the funerals of the chiefs and it is always after the death of one of their Rajahs that these incursions occur.'

That the possession of these grisly tokens of success gives an influence in social intercourse proof is yielded by the following passage from St. John — "Head hunting is not so much a religious ceremony among the Iakatan Borneo, as merely to show their bravery and manliness. When they quarrel it is a constant phrase — 'How many heads did your father or grandfather get? If less than his own number — Well then, you have no occasion to be proud!'"

§ 351 The head of an enemy is of inconvenient bulk ; and when the journey home is long there arises the question — cannot proof that an enemy has been killed be given by carrying back a part only ? In some places the savage infers that it can, and acts on the inference

This modification and its meaning are well shown in Ashantee, where “ the general in command sends to the capital the jaw-bones of the slain enemies ” When first found, the Tahitians, too, displayed in triumph their dead foes’ jaw-bones, and Cook saw fifteen of them fastened up at the end of a house Similarly of Vate, where “ the greater the chief, the greater the display of bones,” we read that if a slain enemy was “ one who spoke ill of the chief, his jaws are hung up in the chief’s house as a trophy ” a tacit threat to others who vilified him. A recent account of another Papuan race inhabiting Boigu, on the coast of New Guinea, further illustrates the practice, and also its social effect. Mr Stone writes — “ By nature these people are bloody and warlike among themselves, frequently making raids to the ‘ Big Land,’ and returning in triumph with the heads and jawbones of their slaughtered victims, the latter becoming the property of the murderer, and the former of him who decapitates the body The jawbone is consequently held as the most valued trophy, and the more a man possesses, the greater he becomes in the eyes of his fellow-men ” Add that in South America some tribes of Tupis, in honouring a victorious warrior, “ hung the mouth [of his victim] upon his arm like a bracelet ”

With the display of jaws as trophies, there may be named a kindred use of teeth America furnishes instances The Caribs “ strung together the teeth of such of their enemies as they had slain in battle, and wore them on their legs and arms ” The Tupis, after devouring a captive, preserved “ the teeth strung in necklaces ” The Moxos women wore “ a necklace made of the teeth of enemies killed by their husbands in battle ” The Central Americans made an

image "and in its mouth were inserted teeth taken from the Spaniards whom they had killed"

Other parts of the head easily detached and carried also serve. Where many enemies are slain, the collected ears yield in small bulk a means of counting and probably Zengus Khan had this end in view when, in Poland, he "filled nine sacks with the right ears of the slain" Noses, again are in some cases chosen as easily enumerated trophies. Anciently by Constantine V, 'a plate of noses was accepted as a grateful offering' and, at the present time, the noses they have taken are carried by soldiers to their leaders in Montenegro. That the slain Turks thus deprived of their noses even to the extent of five hundred on one battle field, were so treated in retribution for the decapitations the Turks had been guilty of, is true, but this excuse does not alter the fact 'that the Montenegrin chiefs could not be persuaded to give up the practice of paying their clansmen for the number of noses produced'

§ 302 The ancient Mexicans, having for gods their deified cannibal ancestors to whose worship the most horrible rites were daily performed in some cases took as trophies the entire skins of the vanquished. 'The first prisoner made in a war was slayed alive. The soldier who had captured him dressed himself in his bleeding skin, and thus for some days, served the god of battles. He who was dressed in the skin walked from one temple to another. men and women followed him shouting for joy' While we here see that the trophy was taken primarily as a proof of the victor's prowess we are also shown how this resulted a religious ceremony. the trophy was displayed for the supposed gratification of deity and fighting in blood shed. There is further evidence that this was the intention. At the festival of the gold mithra god Totem one of the priests put on the skin of a captive and being so dressed he was the image of that god Totem" (Nebel (pt. 3, Ch. 1) p. 12)

the basalt figure of a priest (or idol) clothed in a human skin; and additional evidence is yielded by a custom in the neighbouring state of Yucatan, where "the bodies were thrown down the steps, flayed, the priest put on the skins, and danced, and the body was buried in the yard of the temple"

Usually, however, the skin-trophy is relatively small. the requirement being simply that it shall be one of which the body yields no duplicate. The origin of it is well shown by the following description of a practice among the Abipones. They preserve the heads of enemies, and

"When apprehension of approaching hostilities obliges them to remove to places of greater security, they strip the heads of the skin, cutting it from ear to ear beneath the nose, and dexterously pulling it off along with the hair. That Abipon who has most of these skins at home, excels the rest in military renown"

Evidently, however, the whole skin is not needful to prove previous possession of a head. The part covering the crown, distinguished from other parts by the arrangement of its hairs, serves the purpose. Hence is suggested scalping. Tales of Indian life have so far familiarized us with this custom that examples are needless. But one piece of evidence, supplied by the Shoshones, may be named, because it clearly shows the use of the trophy as an accepted evidence of victory—a kind of legal proof regarded as alone conclusive. We read that

"Taking an enemy's scalp is an honour quite independent of the act of vanquishing him. To kill your adversary is of no importance unless the scalp is brought from the field of battle, and were a warrior to slay any number of his enemies in action, and others were to obtain the scalps, or first touch the dead, they would have all the honours, since they have borne off the trophy"

Though we usually think of scalp-taking in connexion with the North American Indians, yet it is not restricted to them. Herodotus describes the Scythians as scalping their conquered enemies, and at the present time the Nagas of the Indian hills take scalps and preserve them.

Preservation of hair alone, as a trophy, is less general doubtless because the evidence of victory which it yields is inconclusive one head might supply hair for two trophies. Still there are cases in which an enemy's hair is displayed in proof of success in war. Speaking of a Naga, Granger says his shield 'was covered over with the hair of the foes he had killed.' The tunic of a Mandan chief is described as 'fringed with locks of hair taken by his own hand from the heads of his enemies.' And we read of the Cochims that 'at certain festivals their sorcerers wore long robes of skin, ornamented with human hair.'

§ 353 Among easily transported parts carried home to prove victory may next be named hands and feet. By the Mexican tribes, Ceris and Opatas "the slain are scalped, or a hand is cut off, and a dance performed round the trophies on the field of battle." So, too, of the Californian Indians who also took scalps, we are told that "the yet more barbarous habit of cutting off the hands, feet, or head of a fallen enemy, as trophies of victory, prevailed more widely. They also plucked out and carefully preserved the eyes of the slain." Though this is not said we may assume that either the right or the left foot or hand was the trophy, since, in the absence of any distinction, victory over the enemies instead of one might be alleged. In one case indeed, I find the distinction noted. 'The right hands of the slain were hung up by both parties [of hostile Khonds] on the trees of the villages.' Hands were trophies among ancient peoples of the old world also. The inscription on a tomb at El Kab in Upper Egypt tells how Ashmes, the son of Abuna the chief of the steersmen "when he had won a hand [in battle] he received the king's commendation and the golden necklace in token of his bravery; and a wall painting in the temple of Medinet Abou at Thebes shows the presentation of a heap of hands to the king.

This last in turn introduces us to yet another kind of

trophy. Along with the heap of hands thus laid before the king, there is represented a phallic heap, and an accompanying inscription, narrating the victory of Menepthah I over the Libyans, besides mentioning the "cut hands of all their auxiliaries," as being carried on donkeys following the returning army, mentions these other trophies as taken from men of the Libyan nation. And here a natural transition brings us to trophies of an allied kind, the taking of which, once common, has continued in the neighbourhood of Egypt down to modern times. The great significance of the account Bruce gives of a practice among the Abyssinians, must be my excuse for quoting part of it. He says —

"At the end of a day of battle, each chief is obliged to sit at the door of his tent, and each of his followers who has slain a man, presents himself in his turn, armed as in fight, with the bloody foreskin of the man he has slain. If he has killed more than one man, so many more times he returns. After this ceremony is over, each man takes his bloody conquest, and retires to prepare it in the same manner the Indians do their scalps. The whole army, on a particular day of review, throws them before the king, and leaves them at the gate of the palace."

Here it is noteworthy that the trophy, first serving to demonstrate a victory gained by the individual warrior, is subsequently made an offering to the ruler, and further becomes a means of recording the number slain — facts verified by the more recent French traveller d'Hericourt. That like purposes were similarly served among the Hebrews, proof is yielded by the passage which narrates Saul's endeavour to betray David when offering him Michal to wife — "And Saul said, Thus shall ye say to David, The king desireth not any dowry, but an hundred foreskins of the Philistines, to be avenged of the king's enemies," and David "slew of the Philistines two hundred men, and David brought their foreskins, and gave them in full tale to the king."

§ 354. Associated with the direct motive for taking trophies there is an indirect motive, which probably aids

considerably in developing the custom. When treating of primitive ideas we saw that the unanalytical mind of the savage thinks the qualities of any object reside in all its parts and that among others the qualities of human beings are thus conceived by him. From this we found there arise such customs as swallowing parts of the bodies of dead relatives or their ground bones in water, with the view of inheriting their virtues, devouring the heart of a slain brave to gain his courage, or his eyes in the expectation of seeing farther, avoiding the flesh of certain timid animals, lest their timidity should be acquired. A

further implication of this belief that the spirit of each person is diffused throughout him is, that possession of a part of his body gives possession of a part of his spirit, and consequently, a power over his spirit. One corollary being that anything done to a preserved part of a corpse is done to the corresponding part of the ghost and that thus a ghost may be coerced by maltreating a relic. Hence as before pointed out (§ 133) the origin of sorcery; hence the rattle of dead men's bones so prevalent with primitive medicine-men; hence 'the powder ground from the bones of the dead' used by the Peruvian necromancers, hence the portions of corpses which our own traditions of witchcraft name as used in composing charms.

Besides proving victory over an enemy, the trophy therefore serves for the subjugation of his ghost; and that possession of it is at any rate in some cases supposed to make his ghost a slave, we have good evidence. The primitive belief everywhere found that the doubles of men and animals slain at the grave, accompany the double of the deceased to serve him in the other world—the belief which leads here to the immolation of wives who are to manage the future household of the departed there to the sacrifice of horses needed to carry him on his journey after death and elsewhere to the killing of dogs as guides; is a belief which, in many places, substitutes the limited belief that by

placing portions of bodies on his tomb, the men and animals they belonged to are made subject to the deceased. We are shown this by the bones of cattle, &c, with which graves are in many cases decorated, by the placing on graves the heads of enemies or slaves, as above indicated, and by a like use of the scalp. Concerning the Osages, Mr. Tylor cites the fact that they sometimes "plant on the cann raised over a corpse a pole with an enemy's scalp hanging to the top. Their notion was that by taking an enemy and suspending his scalp over the grave of a deceased friend, the spirit of the victim became subjected to the spirit of the buried warrior in the land of spirits." The Ojibways have a like practice, of which a like idea is probably the cause.

§ 355 A collateral development of trophy-taking, which eventually has a share in governmental regulation, must not be forgotten. I refer to the display of parts of the bodies of criminals.

In our more advanced minds the enemy, the criminal, and the slave, are well discriminated, but they are little discriminated by the primitive man. Almost or quite devoid as he is of the feelings and ideas we call moral—holding by force whatever he owns, wresting from a weaker man the woman or other object he has possession of, killing his own child without hesitation if it is an incumbrance, or his wife if she offends him, and sometimes proud of being a recognized killer of his fellow-tribesmen, the savage has no distinct ideas of right and wrong in the abstract. The immediate pleasures or pains they give are his sole reasons for classing things and acts as good or bad. Hence hostility, and the injuries he suffers from it, excite in him the same feeling whether the aggressor is without the tribe or within it—the enemy and the felon are undistinguished. This confusion, now seeming strange to us, we shall understand better on remembering that even in early stages of civilized nations, the family-

groups which formed the units of the national group, were in large measure independent communities, standing to one another on terms much like those on which the nation stood to other nations. They had their small blood feuds as the nation had its great blood feuds. Each family group was responsible to other family groups for the acts of its members, as each nation to other nations for the acts of its citizens. Vengeance was taken on innocent members of a sinning family, as vengeance was taken on innocent citizens of a sinning nation. And thus in various ways the inter family aggressor (answering to the modern criminal), stood in a like relative position with the inter national aggressor.

Hence the naturalness of the fact that he was similarly treated. Already we have seen how, in mediæval days the heads of destroyed family enemies (murderers of its members or stealers of its property) were exhibited as trophies. And since Strabo, writing of the Gauls and other northern peoples says that the heads of foes slain in battle were brought back and sometimes nailed to the chief door of the house while, up to the time of the Salic law the heads of slain private foes were fixed on stakes in front of it we have evidence that identification of the public and the private foe was associated with the practice of taking trophies from them both. A kindred alliance is traceable in the usages of the Jews. Along with the slain Hecanor's head Judas orders that his hand be cut off; and he brings both with him to Jerusalem as trophies the hand being that which he had stretched out in blasphemous boasts. And this treatment of the transgressor who is an alien is paralleled in the treatment of non alien transgressors by David who besides hanging up the corpses of the men who had slain Ishbosheth cut off their hands and their feet.

It may then, be reasonably inferred that display of executed felons on gibbets, or their heads on spikes originates from the bringing back of trophies taken from

slain enemies Though usually a part only of the slain enemy is fixed up, yet sometimes the whole body is, as when the dead Saul, minus his head, was fastened by the Philistines to the wall of Bethshan And that fixing up a felon's body is more frequent, probably arises from the fact that it has not to be brought from a great distance, as would usually have to be the body of an enemy.

§ 356 Though no direct connexion exists between trophy-taking and ceremonial government, the foregoing facts reveal such indirect connexions as make it needful to note the custom It enters as a factor into the three-forms of control—social, political, and religious.

If, in primitive states, men are honoured according to their prowess—if their prowess is estimated here by the number of heads they can show, there by the number of jaw-bones, and elsewhere by the number of scalps,—if such trophies are treasured up for generations, and the pride of families is proportioned to the number of them taken by ancestors—if of the Gauls in the time of Posidonius, we read that “the heads of their enemies that were the chiefest persons of quality, they carefully deposit in chests, embalming them with the oil of cedars, showing them to strangers, glory and boast” that they or their forefathers had refused great sums of money for them, then, obviously, a kind of class distinction is initiated by trophies. On reading that in some places a man's rank varies with the quantity of bones in or upon his dwelling, we cannot deny that the display of these proofs of personal superiority, originates a regulative influence in social intercourse.

As political control evolves, trophy-taking becomes in several ways instrumental to the maintenance of authority Beyond the awe felt for the chief whose many trophies show his powers of destruction, there comes the greater awe which, on growing into a king with subordinate chiefs and dependent tribes, he excites by accumulating the trophies

others take on his behalf rising into dread when he exhibits in numbers the relics of slain rulers. As the practice assumes this developed form, the receipt of such vicariously taken trophies passes into a political ceremony. The heap of hands laid before an ancient Egyptian king served to propitiate, as now serves the mass of jawbones sent by an Ashantee captain to the court. When we read of Timour's soldiers that "their cruelty was enforced by the peremptory command of producing an adequate number of heads" we are conclusively shown that the presentation of trophies hardens into a form expressing obedience. Nor is it thus only that a political effect results. There is the governmental restraint produced by fixing up the bodies or heads of the insubordinate and the felonious.

Though offering part of a slain enemy to propitiate a ghost does not enter into what is commonly called religious ceremonial yet it obviously so enters when the aim is to propitiate a god developed from an ancestral ghost. We are shown the transition by such a fact as that in a battle between two tribes of Khonds, the first man who "slaw his opponent struck off his right arm and rushed with it to the priest in the rear who bore it off as an offering to Laha Pennoo in his grave." Laha Pennoo being their "God of Arms." Joining with this such other facts as that before the Tahitian god Oro, human immolations were frequent and the preserved relics were built into walls "formed entirely of human skulls," which were "principally, if not entirely the skulls of those slain in battle;" we are shown that gods are worshipped by bringing to them, and accumulating round their shrines, these portions of enemies killed—killed, very often in fulfilment of their supposed commands. This inference is verified on seeing similarly used other kinds of spoils. The Philistines besides other wise displaying relics of the dead Saul put "his armour in the house of Ashtaroth." By the Greeks the trophy of arms of axes, shield and helmets taken from the defeated, was

consecrated to some divinity, and the Romans deposited the spoils of battle in the temple of Jupiter Capitolinus. Similarly among the Fijians, who are solicitous in every way to propitiate their blood-thirsty deities, "when flags are taken they are always hung up as trophies in the *ubure*," or temple. That hundreds of gilt spurs of French knights vanquished by the Flemish in the battle of Courtrai, were deposited in the church of that place, and that in France flags taken from enemies were suspended from the vaults of cathedrals (a practice not unknown in Protestant England), are facts which might be joined with these, did not joining them imply the impossible supposition that Christians think to please "the God of love" by acts like those used to please the diabolical gods of cannibals.

Because of inferences to be hereafter drawn, one remaining general truth must be named, though it is so obvious as to seem scarcely worth mention. Trophy-taking is directly related to militancy. It begins during a primitive life that is wholly occupied in fighting men and animals, it develops with the growth of conquering societies in which perpetual wars generate the militant type of structure, it diminishes as growing industrialism more and more substitutes productive activities for destructive activities, and complete industrialism necessitates entire cessation of it.

The chief significance of trophy-taking, however, has yet to be pointed out. The reason for here dealing with it, though in itself scarcely to be classed as a ceremony, is that it furnishes us with the key to numerous ceremonies prevailing all over the world among the uncivilized and semi-civilized. From the practice of cutting off and taking away portions of the dead body, there grows up the practice of cutting off portions of the living body.

CHAPTER III.

MUTILATIONS

§ 357 Facility of exposition will be gained by approaching indirectly the facts and conclusions here to be set forth

The ancient ceremony of investiture in Scotland was completed thus — He [superior's attorney] would stoop down and lifting a stone and a handful of earth, hand these over to the new vassal's attorney thereby conferring upon him real actual, and corporal' possession of the fief' Among a distant slightly civilized people, a parallel usage occurs On selling his cultivated plot a Khond having invoked the village deity to bear witness to the sale, then delivers a handful of soil to the purchaser From cases where the transfer of lands for a consideration is thus expressed we may pass to cases where lands are by a similar form surrendered to show political submission When the Athenians applied for help against the Spartans after the attack of Kleomenes a confession of subordination was demanded in return for the protection asked and the confession was made by sending earth and water A like

some ten years ago, T'u-wên-hsin sent his "Panthay" mission to England, "they carried with them pieces of rock hewn from the four corners of the [T'ai] mountain, as the most formal expression of his desire to become feudatory to the British Crown"

This giving a part instead of giving the whole, where the whole cannot be mechanically handed over, will perhaps be instanced as a symbolic ceremony, though, even in the absence of any further interpretation, we may say that it approaches as nearly to actual transfer as the nature of the case permits. We are not, however, obliged to regard this ceremony as artificially devised. We may affiliate it upon a simpler ceremony which at once elucidates it, and is elucidated by it. I refer to surrendering a part of the body as implying surrender of the whole. In Fiji, tributaries approaching their masters were told by a messenger "that they must all cut off their *tobe* (locks of hair that are left like tails)". They all docked their tails. Still, it may be replied that this act, too, is a symbolic act—an act artificially devised rather than naturally derived. If we carry our inquiry a step back, however, we shall find a clue to its natural derivation.

First, let us remember the honour which accrues from accumulated trophies, so that, among the Shoshones for instance, "he who takes the most scalps gains the most glory". Let us join with this Bancroft's statement respecting the treatment of prisoners by the Chichimecs, that "often were they scalped while yet alive, and the bloody trophy placed upon the heads of their tormentors". And then let us ask what happens if the scalped enemy survives. The captor preserves the scalp as an addition to his other trophies, the vanquished enemy becomes his slave, and he is shown to be a slave by the loss of his scalp. Here, then, are the beginnings of a custom that may become established when social conditions make it advantageous to keep conquered foes as servants instead

of eating them. The conservative savage changes as little as possible. While the new practice of enslaving the captured arises, the old practice of cutting from their bodies such parts as serve for trophies continues, and the marks left become marks of subjugation. Gradually as the receipt of such marks comes to imply bondage, not only will those taken in war be marked, but also those born to them until at length the bearing of the mark shows subordination in general.

That submission to mutilation may eventually grow into the sealing of an agreement to be bondsmen, is shown us by Hebrew history. 'Then Nabash the Ammonite came up, and encamped against Jabbesh-gilead and all the men of Jabbesh said unto Nabash, Make a covenant with us and we will serve thee. And Nabash the Ammonite answered them. On this condition will I make a covenant with you that I may thrust out all your right eyes.' They agreed to become subjects and the mutilation (not in this case consented to however) was to mark their subjection. And while mutilations thus serve, like the brands a farmer puts on his sheep, to show first private ownership and afterwards political ownership they also serve as perpetual reminders of the ruler's power so keeping alive the dread that brings obedience. This fact we see in the statement that when the second Balaq deprived fifteen thousand Bulgarian captives of sight 'the nation was awed by this terrible example.'

Just adding that the bearing of a mutilation, thus becoming the mark of a subject race survives as a token of submission when the trophy-taking, which originated it has disappeared; let us now note the different kind of mutilations and the ways in which they severally enter into the three forms of control—political, religious, and social.

§ 508. When the Arameans on going to war sent messengers summoning their first tribe they were met

carry certain arrows as their credentials, and, "if hostilities are actually commenced, the finger, or (as Alcedo will have it) the hand of a slain enemy, is joined to the arrows"—another instance, added to those already given, in which hands, or parts of them, are brought home to show victory.

We have proof that in some cases living vanquished men, made handless by this kind of trophy-taking, are brought back from battle. King Osymandyas reduced the revolted Bactrians, and as shown "on the second wall" of the monument to him "the prisoners are brought forward they are without their hands and members." But though a conquered enemy may have one of his hands taken as a trophy without much endangering his life, loss of a hand so greatly diminishes his value as a slave, that some other trophy is naturally preferred.

The like cannot, however, be said of a finger. That fingers are sometimes carried home as trophies we have just seen, and that conquered enemies, mutilated by loss of fingers, are sometimes allowed to live as slaves, the Bible yields proof. In Judges 1 6, 7, we read—"Adoni-bezek [the Canaanite] fled, and they pursued after him, and caught him, and cut off his thumbs and his great toes. And Adoni-bezek said, Threescore and ten kings, having their thumbs and their great toes cut off, gathered their meat under my table as I have done, so God hath requited me." Hence, then, the fact that fingers are, in various places, cut off and offered in propitiation of living rulers, in propitiation of dead rulers, and in propitiation of dead relatives. The sanguinary Fijians, extreme in their loyalty to cannibal despots, yield sundry illustrations. Describing the sequence of an alleged insult, Williams says—"A messenger was . . . sent to the chief of the offender to demand an explanation, which was forthwith given, together with the fingers of four persons, to appease the angry chieftain." On the occasion of a chief's death, "orders were issued that one hundred fingers should be cut off, but only sixty were

amputated, one woman losing her life in consequence" Once more, a child's hand "was covered with blood, which flowed from the stump where shortly before, his little finger had been cut off as a token of affection for his deceased father" This propitiation of the dead by offering fingers, or parts of them occurs elsewhere When, among the Charruas, the head of the family died, "the daughters, widow, and married sisters were obliged to have each one joint from the finger cut off and this was repeated for every relation of the like character who died the primary amputation being from the little finger" By the Mandans, the usual mode of expressing grief on the death of a relation "was to lose two joints of the little fingers, or sometimes the other fingers" A like custom was found among the Dakotas and various other American tribes Sacrificed in this way to the ghost of the dead relative or the dead chief, to express that subjection which would have pacified him while alive the amputated finger becomes, in other cases, a sacrifice to the expanded ghost or god During his initiation the Mandan warrior holding up the little finger of his left hand to the Great Spirit he expresses to Him in a speech of a few words his willingness to give it as a sacrifice when he lays it on the dried buffalo skull where the other chops it off near the hand with a blow of the hatchet And the natives of Tonga cut off a portion of the little finger as a sacrifice to the gods for the recovery of a superior sick relative

Originally expressing submission to powerful beings alive and dead this mutilation in some cases becomes, apparently a mark of domestic subordination The Australians have a custom of cutting off the last joint of the little finger of females; and a Hottentot widow who marries a second time must have the top joint of a finger cut off and loses another joint for the third and so on for each time she enters into wedlock

As showing the way in which these propitiatory institutions

of the hands are made so as to interfere least with usefulness, it may be noted that habitually they begin with the last joint of the little finger, and affect the more important parts of the hand only if they recur. And where, by amputating the hand, there is repeated in full the original mutilation of slain enemies, it is where the usefulness of the subject person is not a consideration, but where the treatment of the external enemy is extended to the internal enemy—the criminal. The Hebrews made the loss of a hand a punishment for one kind of offence, as shown in Deuteronomy, xxv 11, 12. In ancient Egypt, forgers and other falsifiers lost both hands. Of a Japanese political transgressor it is said—“His hands were ordered to be struck off, which in Japan is the very extremity of dishonour.” In mediæval Europe hands were cut off for various offences.

§ 359 Recent accounts from the East prove that some of the vanquished deprived of their noses by their conquerors, survive, and those who do so, remain identifiable thereafter as conquered men. Consequently, lack of a nose may become the mark of a slave, and in some cases it does this. Certain of the ancient Central Americans challenged neighbouring peoples when “they wanted slaves, if the other party did not accept of the challenge, they ravaged their country and cut off the noses of the slaves.” And, describing a war carried on during his captivity in Ashantee, Ramseyer says the Ashantees spared one prisoner, “whose head was shaved, nose and ears cut off, and himself made to carry the king’s drum.”

Along with loss of nose occurs, in the last case, loss of ears. This is similarly interpretable as having originated from trophy-taking, and having in some cases survived, if not as a mark of ordinary slavery, still, as a mark of that other slavery which is a punishment for crime. In ancient Mexico “he who told a lie to the particular prejudice of another had a part of his lip cut off, and sometimes his

ears." Among the Honduras people a thief had his goods confiscated, "and, if the theft was very great, they cut off his ears and hands." A law of an adjacent people, the Mixtecs, directed the "cutting off of an adulterer's ears, nose, or lips," and by some of the Zapotecas "women convicted of adultery had their ears and noses cut off."

But though absence of ears seems more generally to have marked a criminal than a vanquished enemy who had survived the taking of his ears as trophies, we may suspect that originally it was a trait of an enslaved captive, and that by mitigation, it gave rise to the method of marking a slave that was used by the Hebrews, and still continues in the East with a modified meaning. In Exodus xxi 5, 6, we read that if, after his six years' service a purchased slave does not wish to be free, his master shall "bring him to the door or unto the door post and his master shall bore his ear through with an awl, and he shall serve him for ever." Commenting on this ceremony Knobel says — "In the modern East the symbol of piercing the ears is mentioned as the mark of those who are dedicated. It expresses the belonging to somebody." And since where there grows up unqualified despotism private slavery is joined with public slavery and the accepted theory is that all subjects are the property of the ruler we may suspect that there hence results in some cases the universality of this mutilation.

"All the Burmese without exception have the custom of boring their ears. The day when the operation is performed is kept as a festival; for this custom holds in their estimation something of the rank that baptism has in ours." As indirect evidence I may add the curious fact that the Gaul holds his ears in his hands in token of submission.

A related usage must be noted: the insertion of a ring in the nose. Commenting on this as exemplified by the women of Atrachan, Hill says — "I was told that it was the consequence of a religious festival of these people to the service of God." Now read the following passage

from Isaiah about Sennacherib.—“This is the word that the Lord hath spoken concerning him . . . I will put my hook in thy nose, and my bridle in thy lips” And then add the fact that in Assyrian sculptures are represented prisoners being led by cords attached to rings through their noses Do we not see a kindred filiation—conquest, incidental marking of the captive, survival of the mark as distinguishing subject persons?

§ 360 Jaws can be taken only from those whose lives are taken There are the teeth, however some of these may be extracted as trophies without seriously decreasing the usefulness of the prisoner Hence another form of mutilation

We have seen that teeth of slain foes are worn in Ashantee and in South America Now if teeth are taken as trophies from captives who are preserved as slaves, loss of them must become a mark of subjection Of facts directly showing that a propitiatory ceremony hence arises I can name but one Among mutilations undergone when a king or chief dies in the Sandwich Islands, Ellis names knocking out one of the front teeth an alternative being cutting the ears When we further read in Cook that the Sandwich Islanders knock out from one to four of the front teeth, showing that the whole population becomes marked by these repeated mutilations suffered to propitiate the ghosts of dead rulers—when we infer that in propitiation of a much-dreaded ruler deified after death, not only those who knew him may submit to this loss, but also their children subsequently born, we see how the practice, becoming established, may survive as a sacred custom when its meaning is lost For concluding that the practice has this sacramental nature, there are the further reasons derived from the fixing of the age for the operation, and from the character of the operator In New South Wales it is the Kooradger men, or priests, who perform the ceremony, and

Nootkas and 'the privilege of wearing long hair what he
 ously denied" to Carib slaves and captives. The state go-
 that punished criminality was similarly marked. In Nica-
 ragua, "a thief had his hair cut off and became a slave to
 the person that had been robbed till he was satisfied." Naturally infliction of the slave badge grew into a punish-
 ment. By the Central Americans a suspected adulterer
 "was stripped and his hair was cut." One ancient
 Mexican penalty "was to have the hair cut at some public
 place." And during mediæval times in Europe cutting of
 hair was a punishment. Of course, by contrast, long
 hair became a distinction. If among the Chibchas "the
 greatest affront that could be put on a man or a woman was
 to have their hair cropped" the assimilation to slaves in
 appearance was the reason. the honourableness of long
 hair being an implication. The Itz'at Indians," says
 Fancourt, 'wore their hair as long as it would grow. indeed
 it is a most difficult thing to bring the Indians to cut their
 hair." Long hair shows rank among the Tongans. none
 are permitted to wear it but the principal people. Simi-
 larly with the New Caledonians and various others of the
 uncivilized; and similarly with semi-civilized Orientals.
 'the Ottoman princes have their beard shaved off to show
 that they are dependent on the favour of the reigning
 emperor." By the Greeks, "in manhood, hair was
 worn longer" and "a certain political significance was
 attached to the hair." In Northern Europe, too, 'among
 the Franks the serfs wore the hair less long and
 less carefully dressed than freemen' and the freemen
 less long than the nobles. "The hair of the Frank kings
 is sacred. It is for them a mark and honourable
 prerogative of the royal race." Clothair and Childebert
 wishing to divide their brother's kingdom, consulted re-
 specting their nephews 'whether to cut off their hair so as to
 reduce them to the rank of subjects or to kill them. I
 may add the extreme case of the Japanese Mikado.

Arthur er his hair, beard, nor nails are ever [avowedly] good that his sacred person may not be mutilated " such cutting as occurs being done while he is supposed to sleep

A parallel marking of divine rank may be noted in passing. Length of hair being significant of terrestrial dignity becomes significant, too, of celestial dignity. The gods of various peoples, and especially the great gods, are distinguished by their flowing beards and long locks.

Domestic subordination also, in many cases goes along with short hair. Under low social conditions, females commonly bear this badge of slavery. In Samoa the women wear the hair short while the men wear it long, and among other Malayo-Polynesians, as the Tahitians and New Zealanders, the like contrast occurs. Similarly with the Negrito races "In New Caledonia the chiefs and influential men wear their hair long. . . . The women all crop theirs close to the very ears." Cropped heads in like manner distinguish the women of Tanna, of Lifu, of Vate, and those of Tasmania.

A kindred mode of signifying filial subjection has existed. Sacrifice of hair once formed part of the ceremony of adoption in Europe. "Charles Martel sent Pepin, his son, to Luthprand, king of the Lombards, that he might cut his first locks, and by this ceremony hold for the future the place of his father," and Clovis, to make peace with Alaric, proposed to become his adopted son, by offering his beard to be cut by him.

This mutilation simultaneously came to imply subjection to dead persons. How yielding up hair to the dead is originally akin to yielding up a trophy, is well shown by the Dacotahs. "The men shave the hair off their heads, except a small tuft on the top [the scalp-lock], which they suffer to grow and wear in plaits over the shoulders. the loss of it is the usual sacrifice at the death of near relations." That is, they go as near as may be to surrendering their scalps to the dead. The meaning is again seen in the account given of the Caribs. "As their hair thus constituted their

chief pride, it was an unequivocal proof of the sincerity of their sorrow, when on the death of a relation or friend, they cut it short like their slaves and captives." Everywhere the uncivilized have kindred forms. Nor was it otherwise with the ancient historic races. By the Hobbies making "baldness upon their heads" was practised as a funeral rite as was also shaving off "the corner of their beard." Among Greeks and Romans "the hair was cut close in mourning." In Greece the meaning of this mutilation was recognized. Potter remarks—"we find Electra in Euripides finding fault with Helena for sparing her locks and thereby defrauding the dead" and he cites the statement that this sacrifice of hair (sometimes laid upon the grave) was partly to render the ghost of the deceased person propitious." A significant addition must be made

For a recent death, the mourner's head was shaved for an offering to the long dead, a single lock was cut off."

Naturally if from propitiation of the dead, some of whom become deities, there grows up religious propitiation, the offering of hair may be expected to re-appear as a religious ceremony and we find that it does so. Already, in the just named fact that besides the hair sacrificed at a Greek funeral, smaller sacrifices of hair were made afterwards we see the rise of that recurring propitiation characterizing worship of a deity. And when we further read that among the Greeks "on the death of any very popular personage as a general it sometimes happened that all the army cut off their hair," we are shown a step towards the propitiation by unrelated members of the community a large which when it becomes established is a trait of religious worship. Hence certain Greek ceremonies. The cutting off of the hair which was always done when a boy

such occasions was consecrated to some god." Sacrifice of hair was an act of worship with the Hebrews also. We are told of "fourscore men, having their beards shaven, and their clothes rent, and having cut themselves, with offerings and incense in their hand, to bring them to the house of the Lord;" and Krehl gives sundry kindred facts concerning the Arabians. Curious modifications of the practice occurred in ancient Peru. Small sacrifices of hair were continual. "Another offering," writes d'Acosta, is "pulling out the eye-lashes or eye-brows and presenting them to the sun, the hills, the combles, the winds, or whatever they are in fear of" "On entering the temples, or when they were already within them, they put their hands to their eyebrows as if they would pull out the hairs, and then made a motion as if they were blowing them towards the idol" a good instance of the abridgment which ceremonies habitually undergo.

One further development remains. This kind of sacrifice becomes in some cases a social propitiation. Wreaths of their own hair plaited, were bestowed upon others as marks of consideration by the Tahitians. In France in the fifth and sixth centuries, it was usual to pluck out a few hairs from the beard on approaching a superior, and present them, and this usage was occasionally adopted as a mark of condescension by a ruler, as when Clovis, gratified by the visit of the Bishop of Toulouse, gave him a hair from his beard, and was imitated in so doing by his followers. Afterwards the usage had its meaning obscured by abridgment. In the times of chivalry one mode of showing respect was to tug at the moustache.

§ 362. Already, when treating of trophies, and when finding that those of the phallic class, major and minor, had the same meanings as the rest, the way was opened to explain the mutilations next to be dealt with. We have seen that when the vanquished were not killed but enslaved, it became imperative that the taking of trophies from them

should neither endanger life nor be highly injurious, and that hence instead of jaws, teeth were taken, instead of hands, fingers, instead of scalp, hair. Similarly in this case, the fatal or dangerous mutilation disappearing, left only such allied mutilation as did not seriously or at all decrease the value of the enemy as a servant.

That castration was initiated by trophy taking I find no direct proof, but there is direct proof that prisoners are sometimes treated in a way which trophy taking of the unpled kind would entail. The ancient Persians used to castrate the young men and boys of their vanquished enemies. Of Theobald Marquis of Spoleto, we read in Gibbon that "his captives were castrated without mercy." For thinking that there was once an enforced sacrifice of the nature indicated, made to a conqueror, there is the further reason that we find a parallel sacrifice made to a deity. At the annual festivals of the Phrygian goddess Amma [Agdistis], "it was the custom for young men to make themselves eunuchs with a sharp shell, crying out at the same time, 'Take this Agdistis!'" There was a like practice among the Phœnicians, and Brinton names a severe self mutilation of the ancient Mexican priests which seems to have included this. Coming in the way shown to imply subordination, this usage, like many ceremonial usages, has in some cases survived where its meaning is lost. The Hottentots enforce semi-castration at about eight or nine years of age; and a kindred custom exists among the Australian

Salvador; and we meet with it again in Australia. Even apart from the fact that their monuments show the Egyptians practised it from early times, and even apart from the evidence that it prevailed among Arab peoples at large, these proofs that circumcision is not limited to region or race, sufficiently dispose of the current theological interpretation. They sufficiently dispose, too, of another interpretation not uncommonly given; for a general survey of the facts shows us that while the usage does not prevail among the most cleanly races in the world, it is common among the most uncleanly races. Contrariwise, the facts taken in the mass are congruous with the general theory thus far verified.

It was shown that among the Abyssinians the trophy taken by circumcision from an enemy's dead body, is presented by each warrior to his chief, and that all such trophies taken after a battle are eventually presented to the king. If the vanquished enemies instead of being killed are made slaves, and if the warriors who have vanquished them continue to present the usual proofs of their prowess, there must arise the circumcision of living captives, who thereby become marked as subjugated persons. A further result is obvious. As the chief and the king are propitiated by bringing them these trophies taken from their foes, and as the primitive belief is that a dead man's ghost is pleased by whatever pleased the man when alive, there will naturally follow a presentation of such trophies to the ghost of the departed ruler. And then in a highly militant society governed by a divinely-descended despot, who requires all his subjects to bear this badge of servitude, and who, dying, has his dreaded ghost anxiously propitiated, we may expect that the presentation to the king of these trophies taken from enslaved enemies, will develop into the offering to the god of like trophies taken from each generation of male citizens in acknowledgment of their slavery to him. Hence, when Movers

says that among the Phœnicians circumcision was "a sign of consecration to Saturn," and when proof is given that of old the people of San Salvador circumcised "in the Jewish manner offering the blood to an idol," we are shown just the result to be anticipated as eventually arising

That this interpretation applies to the custom as made known in the Bible, is clear. We have already seen that the ancient Hebrews like the modern Abyssinians, practised the form of trophy taking which necessitates this mutilation of the dead enemy and as in the one case, so in the other, it follows that the vanquished enemy not slain but made prisoner will by this mutilation be marked as a subject person. That circumcision was among the Hebrews the stamp of subjection, all the evidence proves. On learning that among existing Bedouins, the only conception of God is that of a powerful living ruler the sealing by circumcision of the covenant between God and Abraham becomes a comprehensible ceremony. There is furnished an explanation of the fact that in consideration of a territory to be received, this mutilation undergone by Abraham, implied that "the Lord" was 'to be a god unto' him, as also of the fact that the mark was to be borne not by him and his descendants only as favoured individuals, but also by slaves not of his blood. And on remembering that by primitive

On the other hand, Mattathias and his friends, rebelling against foreign rule and worship, are said to have gone "round about, and pulled down the altars and what children soever they found within the coast of Israel uncircumcised, those they circumcised valiantly" Moreover Hyrcanus, having subdued the Idumeans, made them submit to circumcision, and Aristobulus similarly imposed the mark on the conquered people of Iturea

Quite congruous are certain converse facts Tooitonga (the great divine chief of Tonga) is not circumcised, as all the other men are, being unsubordinated, he does not bear the badge of subordination And with this I may join a case in which whole tribes belonging to a race ordinarily practising circumcision, are uncircumcised where they are unsubordinated Naming some wild Berbers in Morocco as thus distinguished, Rohlf's says, "these uncircumcised tribes inhabit the Rif mountains . All the Rif mountaineers eat wild boar, in spite of the Koran law"

§ 363 Besides mutilations entailing some loss of flesh, bone, skin, or hair, there are mutilations which do not imply a deduction, at least—not a permanent one Of these we may take first, one which sacrifices a liquid part of the body though not a solid part

Bleeding as a mutilation has an origin akin to the origins of other mutilations Did we not find that some uncivilized tribes, as the Samoyedes, drink the warm blood of animals—did we not find among existing cannibals, such as the Fijians, proofs that savages drink the blood of still-living human victims, it would seem incredible that from taking the blood of a vanquished enemy was derived the ceremony of offering blood to a ghost and to a god But when to accounts of horrors like these we join accounts of kindred ones which savages commit, such as that among the Amaponda Kaffirs "it is usual for the ruling chief, on his accession to the government, to be washed in the blood

of a near relative generally a brother, who is put to death on the occasion," and when we infer that before civilization arose the sanguinary tastes and usages now exceptional were probably general, we may suspect that from the drinking of blood by conquering cannibals there arose some kinds of blood offerings—at any rate, offerings of blood taken from immolated victims. Possibly some offerings of blood from the bodies of living persons are to be thus accounted for. But those which are not, are explicable as arising from the practice of establishing a sacred bond between living persons by partaking of each other's blood the derived conception being that those who gave some of their blood to the ghost of a man just dead and lingering near, effect with it a union which on the one side implies submission and on the other side tranquillity.

On this hypothesis we have a reason for the prevalence of self bleeding as a funeral rite not among existing savages only but among ancient and partially civilized peoples—the Jews the Greeks the Huns the Turks. We are shown how there arise kindred rites as permanent propitiations of those more dreaded ghosts which become gods—such offerings of blood now from their own bodies and now from their infants' bodies as those which the Mexicans gave their idols such offerings as were implied by the self gashings of the priests of Hual, and such as were sometimes made even in propitiating Jahveh, as by the four-score men who came from Shechem Shiloh and Samaria. Moreover the intention of blood letting as a religious rite not in itself but as a means to some other end

Foster, Agent General for New South Wales, writes to me that he has seen an Australian mother on meeting her son after an interval of six months, gash her face with a pointed stick "until the blood streamed."

§ 364. Cuts leave scars If the blood-offerings which entail them are made by relatives to the departed spirit of an ordinary person, these scars are not likely to have any permanent significance, but if they are made in propitiation of a deceased chief, not by his relatives alone but by unrelated members of the tribe who stood in awe of him and fear his ghost, then, like other mutilations, they become signs of subjection. The Huns who "at the burial of Attila, cut their faces with hollow wounds," in common with the Turks who did the like at royal funerals, thus inflicted on themselves marks which thereafter distinguished them as servants of their respective rulers. So, too, did the Lacedæmonians who, "when their king died, had a barbarous custom of meeting in vast numbers, where men, women, and slaves, all mixed together, tore the flesh from their foreheads with pins and needles to gratify the ghosts of the dead." Such customs are likely sometimes to have further results. With the apotheosis of a notable king whose conquests gave him the character of founder of the nation, marks of this kind, borne not by his contemporary followers only but imposed by them on their children, may become national marks.

That the scars caused by blood-lettings at funerals are recognized as binding to the dead those who bear them, and do develop in the way alleged, we have good evidence. The command in Leviticus, "ye shall not make any cuttings in your flesh for the dead, nor print any marks upon you," shows us the usage in that stage at which the scar left by sacrifice of blood is still a sign partly of family subordination and partly of other subordination. And Scandinavian traditions show us a stage at which the scar betokens allegiance

either to an unspecified supernatural being, or to a deceased ruler who has become a god. Odin, "when he was near his death, made himself be marked with the point of a spear," and Niort "before he died made himself be marked for Odin with the spear point."

It is probable that scars on the surface of the body, thus coming to express loyalty to a deceased father or a deceased ruler, or a god derived from him, initiate among other disfigurements those we class as tattooing. Lacerations, and the traces they leave, are certain to take different forms in different places. The Andaman Islanders "tattoo by incising the skin without inserting colouring matter the cicatrix being whiter than the sound skin." Some natives of Australia have ridges raised on this or that part of the body while others brand themselves. In Tanna the people make elevated scars on their arms and chests. And Burton in his *Isolula* says—"the skin patterns were of every variety, from the diminutive prick to the great gash and the large boil like lumps." In this country every tribe, sub-tribe, and even family, has its blazon whose infinite diversifications may be compared with the lines and ordinaries of European heraldry. Naturally, among the various skin mutilations originating in the way alleged many will under the promptings of vanity take on a character more or less ornamental; and the use of them for decoration will often survive when their meaning has been lost.

where it is painted on the body, is thus regarded as a kind of disloyalty, equally will it be so when the mark is one that has arisen from modified lacerations, and such refusal will be tantamount to rebellion where the mark signifies descent from, and submission to, some great father of the race. Hence such facts as the following —“All these Indians” says Cieza of the ancient Peruvians, “wear certain marks by which they are known, and which were used by their ancestors” “Both sexes of the Sandwich Islanders have a particular mark (tattooed) which seems to indicate the district in which, or the chief under whom, they lived”

That a special form of tattooing becomes a tribal mark in the way suggested, we have, indeed, some direct evidence. Among the Sandwich Islanders, funeral rites at the death of a chief, such as knocking out teeth, cutting the ears, &c., one is tattooing a spot on the tongue. Here we see this mutilation becoming the sign of allegiance to a ruler who has died, and then, when the deceased ruler, unusually distinguished, is apotheosized, the tattoo mark becomes the sign of obedience to him as a deity. “With several Eastern nations,” says Gumm, “it was a custom to mark oneself by a burnt or incised sign as adherent to a certain worship.” It was thus with the Hebrews. Remembering that they were forbidden to mark themselves for the dead, we shall see the meaning of the passage in Deuteronomy—“They have corrupted themselves, the spot is not the spot of his children: they are a perverse and crooked generation.” And that such contrasted spots were understood in later times to imply the service of different deities, is suggested by passages in Revelations, where an angel is described as ordering delay “till we have sealed the

* While this chapter is standing in type, I have come upon a passage in Baneroff, concerning the Indians of the Isthmus of Darien fully verifying the general interpretation given. He says —“Every principal man retained a number of prisoners as bondsmen, they were branded or tattooed with the particular mark of the owner on the face or arm, or had one of their front teeth extracted.”

servants of our God in their foreheads " and where ' an hundred and forty and four thousand, having his Father's name written in their foreheads," are described as standing on Mount Sion while an angel proclaims that, " If any man worship the beast and his image and receive his mark in his forehead, or in his hand, the same shall drink of the wine of the wrath of God " Even now " this practice of marking religious tokens upon the hands and arms is almost universal among the Arabs of all sects and classes " Moreover " Christians in some parts of the East and European sailors were long in the habit of marking, by means of punctures and a black dye their arms and other members of the body with the sign of the crucifix, or the image of the Virgin the Mahomedans mark them with the name of Allah " So that among advanced races, the skin mutilations still have meanings like those given to them in ancient Mexico where, when a child was dedicated to Quetzalcohuatl ' the priest made a slight cut with a knife on its breast as a sign that it belonged to the cult and service of the god " and like those now given to them in parts of Angola where a child as soon as born is tattooed on the belly, in order thereby to dedicate it to a certain fetish

A significant group of evidences remains We have seen that where cropped hair implies servitude, long hair becomes an honourable distinction and that, occasionally, in opposition to circumcision as associated with subjection, there is an absence of it along with the highest power Here we have a parallel antithesis The great divine chief of the Tonga

that an untattooed race having been conquered by one which practised tattooing, the presence of these markings became associated with social supremacy

A further cause exists for this conflict of meanings. There remains to be named a species of skin-mutilation having another origin and different implication

§ 365 Besides scars resulting from lacerations made in propitiating dead relatives, dead chiefs, and deities, there are scars resulting from wounds received in battle. All the world over, these are held in honour and displayed with pride. The sentiment associated with them among ourselves in past times, is indicated in Shakespeare by sundry references to "such as boasting shew their scars." Lafeu says—"a scar nobly got, or a noble scar, is a good livery of honour," and Henry V foretells of an old soldier that "then will he strip his sleeve and shew his scars."

Animated as are savages in still higher degrees than civilized by the feelings thus indicated, what may be expected to result? Will not anxiety to get honour sometimes lead to the making of scars artificially? We have evidence that it does. A Bechuana priest makes a long cut in the skin from the thigh to the knee of each warrior who has slain a man in battle. The Bachapin Kaffirs have a kindred usage. Among the Damaras, "for every wild animal that a young man destroys, his father makes four small incisions on the front of the son's body as marks of honour and distinction." And then Tuckey, speaking of certain Congo people who make scars, says that this is "principally done with the idea of rendering themselves agreeable to the women," a motive which is intelligible if such scars originally passed for scars got in war, and implying bravery. Again, we read that "the Itzaex Indians [in Yucatan] have handsome faces, though some of them were marked with lines as a sign of courage." Facts furnished by other American tribes, suggest that the inflict-

servants of our God teaching morality, originated from the hundred, making scars artificial, an imitation of scars bequeathed by battle. If self injury to avoid service in war has been not infrequent among the cowardly, we may infer that among the courageous who had received no wounds, self injury might be not infrequent, where there was gained by it that character desired above everything. The reputation achieved might make the practice, at first secret and exceptional, gradually more common and at length general, until finally, public opinion, vented against those who did not follow it, made the usage peremptory. And on reading that among the Abipones, 'boys of seven years old pierce their little arms in imitation of their parents, and display plenty of wounds,' we are shown the rise of a feeling and a consequent practice, which, growing may end in a system of initiatory tortures at manhood. Though when the scars, being borne by all, are no longer distinctive discipline in endurance comes to be the reason given for inflicting them, this cannot have been the original reason. Primitive men improvident in all ways never devised and instituted a usage with a view to a foreseen distant benefit. they do not make law, they fall into customs.

Here, then we find an additional reason why markings on the skin, though generally badges of subordination become in some cases honourable distinctions and occasionally signs of rank.

MUTILATIONS

parallel reason for preserving a part cut has enslaved both he and the slave thin a power to inflict injury. Remembering first step is to procure some hair or victim, or else some piece of his dress odour which is identified with his spirit a necessary corollary that the master w slave's tooth, a joint from his little finger his hair, thereby retains a power of del the soicerer, who may bring on him o evil—torture by demons, disease, death

The subjugated man is consequently : dread akin to that which Caliban expr magically-inflicted torments.

§ 367 The evidence that mutilation been a sequence of trophy-taking from abundant and varied Taking the trophy carried to the death, and the derived off a part from a prisoner implies s Eventually the voluntary surrender of s submission, and becomes a propitiator, it does this

Hands are cut off from dead enemies this, besides some identical mutilation have the cutting off of fingers or por pacify living chiefs, deceased persons, ar among the trophies taken from slain foe of noses inflicted on captives, on slaves, certain kinds Ears are brought back fi and occasionally they are cut off from or slaves, while there are peoples an ears mark the servant or the subject

Scalps are taken from killed enemies and sometimes their hair is used to decorate a victor's dress and then come various sequences. Here the enslaved have their heads cropped, here scalp locks are worn subject to a chief's ownership, and occasionally demanded in sign of submission, while elsewhere men sacrifice their beards to their rulers unshorn hair being thus rendered a mark of rank. Among numerous peoples, hair is sacrificed to propitiate the ghosts of relatives whole tribes cut it off on the deaths of their chiefs or kings and it is yielded up to express subjection to deities. Occasionally it is offered to a living superior in token of respect and this complimentary offering is extended to others. Similarly with genital mutilations there is a like taking of certain parts from slain enemies and from living prisoners; and there is a presentation of them to kings and to gods. Self bleeding initiated partly perhaps, by cannibalism, but more extensively by the mutual giving of blood in pledge of loyalty enters into several ceremonies expressing subordination we find it occurring in propitiation of ghosts and of god, and occasionally as a compliment to living persons. Naturally it is the same with the resulting marks. Originally indefinite in form and place but rendered definite by custom and at length often decorative these bled wounds at first entailed only on relatives of deceased persons then on all the followers of a man much feared while alive so become marks expressive of subjection to a head ruler and eventually to a god: growing thus into tribal and national marks.

oaths of fealty and pious self-dedications. Moreover, being acknowledgments of submission to a ruler, visible or invisible, they enforce authority by making conspicuous the extent of his sway. And where they signify class-subjection, as well as where they show the subjugation of criminals, they further strengthen the regulative agency.

If mutilations originate as alleged, some connexion must exist between the extent to which they are carried and the social type. On grouping the facts as presented by fifty-two peoples, the connexion emerges with as much clearness as can be expected.

In the first place, since mutilation originates with conquest and resulting aggregation, it is inferable that simple societies, however savage, will be less characterized by it than the larger savage societies compounded out of such, and less than even semi-civilized societies. This proves to be true. Of peoples who form simple societies that practice mutilation either not at all or in slight forms, I find eleven—Fuegians, Veddahs, Andamanese, Dyaks, Todas, Gonds, Santals, Bodo and Dhimals, Mishmis, Kamstchadales, Snake Indians, and these are characterized throughout either by absence of chieftainship, or by chieftainship of an unsettled kind. Meanwhile, of peoples who mutilate little or not at all, I find but two in the class of uncivilized compound societies, of which one, the Kughiz, is characterized by a wandering life that makes subordination difficult, and the other, the Iroquois, had a republican form of government. Of societies practising mutilations that are moderate, the simple bear a decreased ratio to the compound. Of the one class there are ten—Tasmanians, Tannese, New Guinea people, Karens, Nagas, Ostyaks, Esquimaux, Chinooks, Comanches, Chipewayans, while of the other class there are five—New Zealanders, East Africans, Khonds, Kukis, Kalmucks. And of these it is to be remarked, that in the one class the simple headship, and in the other class the compound headship, is unstable. On coming to the societies distinguished

by severer mutilations, we find these relations reversed. Among the simple I can name but three—the New Caledonians (among whom, however, the severer mutilation is not general), the Bushmen (who are believed to have lapsed from a higher social state) and the Australians (who have I believe, similarly lapsed), while, among the compound, twenty one may be named—Fijians, Sandwich Islanders, Tahitians, Tongans, Samoans, Javans, Sumatrans, Malagasy, Hottentots, Damaras, Bechuana, Kaffirs, Congo people, Coast Negroes, Inland Negroes, Dahomans, Ashantees, Falaha, Abyssinians, Arabs, Dacotahs.

In the second place, social consolidation being habitually effected by conquest, and compound and doubly compound societies being therefore during early stages, militant in their activities and types of structure, it follows that the connexion of the custom of mutilation with the size of the society is indirect, while that with its type is direct. And this the facts show us. If we put side by side those societies which are most unlike in respect of the practice of mutilation, we find them to be those which are most unlike as being wholly unmilitant in organization, and wholly militant in organization. At the one extreme we have the Veddas, Todas, Bodo and Dhimals, while, at the other extreme, we have the Fijians, Abyssinians, and ancient Mexicans.

Derived from trophy taking and developing with the development of the militant type mutilations must by implication decrease as fast as the societies consolidated by militancy become less militant, and must disappear as the industrial type of structure evolves. That they do so European history at large may be assigned in proof. And it is significant that in our own society, now predominantly industrial, such slight mutilations as continue are connected with that regulative part of the organization which militancy has bequeathed. There survive only the now meaningless tattooings of sailors, the branding of deserters (until recently) and the cropping of the heads of felons.

NOTE TO CHAPTER III

At the Royal Institution, in April, 1882, Dr E B Tylor delivered a lecture on "The Study of Customs," (afterwards published in *Macmillan's Magazine* for May, 1882), which was primarily an attack on this work

One of the objections he made concerns the interpretation of scars and tatooings as having originated in offerings of blood to the dead, and as becoming, by consequence, marks of subordination to them, and afterwards of other subordination. He says —

"Now the question here is not to determine whether all this is imaginable or possible, but what the evidence is of its having actually happened. The Levitical law is quoted, 'Ye shall not make any cuttings in your flesh for the dead, nor print any marks upon you.' This Mr Spencer takes as good evidence that the cutting of the flesh at the funeral develops into a mark of subjection."

But Dr Tylor ignores the fact that I have referred to the Huns, the Turks, the Lacedæmonians, as following customs such as Leviticus interdicts (besides eight cases of like lacerations, leaving marks, in § 89). Nor does he hint that there are uncited cases of like meaning: instance the ancient Scythians, among whom, according to Herodotus (iv 71), each man in presence of a king's corpse, "makes a cut all round his arm, lacerates his forehead and his nose, and thrusts an arrow through his left hand," or instance some modern Australians, who, says Grey, on the authority of Bussel, "placed the corpse beside the grave, and gashed their thighs, and at the flowing of the blood they all said—'I have brought blood'" (p 332). Not only does Dr Tylor lead readers to suppose that the evidence I have taken from Leviticus is unsupported by like evidence elsewhere derived, but he passes over the fact that this form of bodily mutilation is associated by me with other forms, similarly originating and having similar sequences. He omits to say that I have named four peoples among whom amputated fingers are offered in propitiation of the dead, two among whom they are given in propitiation of a god, and one—the ferocious Fijians—among whom living persons also are propitiated by sacrificed fingers, and that I have joined this last with the usage of the Canaanites, among whom amputated thumbs and toes marked conquered men, and hence became signs of subordination. He did not tell his hearers that, as mutilations entailed by trophy-taking, I have named the losses of hands, feet, parts of the ears and nose, and parts of the genital organs, and have shown that habitually, the resulting marks have come to signify subjection to powerful persons, living or dead. Concerning all this direct and indirect support of my inference he is silent, and he thus produces the impression that it is almost baseless. Moreover, in contesting the conclusion that tatooing was derived from lacerations at funerals,

he leaves it to be supposed that this is a mere guess saying nothing of my quotation from Burton to the effect that these skin mutilations show all gradations from large gashes to diminutive pricks and saying nothing of the instances I have given in which a tattoo-mark signifies subjection to a ruler human or divine. And then, after asserting that of cogent proof there is simply none, he inadvertently furnishes a proof of considerable cogency—the fact that by lines of tattooing joined to it, the D branded on deserters was often changed by them into the handle of a sword—a decorative skin mark was derived from a skin mark that was not decorative.

My inference that the cropping of the hair of felons is a survival is supported by more evidence than that given in the text. Dr Tylor however prefers to regard it as an entirely modern regulation to insure cleanliness ignoring the truth illustrated by himself that usages often survive after their original purpose has been forgotten, and are then misinterpreted.

The remaining three errors alleged (which are all incidental and, if substantiated, would leave the main propositions unshaken) concern chapters that follow. One only of them is, I think, established. Good reason is given for dissenting from my interpretation of the colours used in different countries for mourning (an interpretation not embodied in the argument of Chapter VI, but merely appended as a note which in this edition, I have changed). The other two concerning the wearing of two swords by upper-class Japanese and the origin of shaking hands, I leave standing as they did partly because I see further reasons for thinking them true and partly because Dr Tylor's explanations fail to account for the origin of the one as a mark of rank and of the other as a mark of friendship.

Dr Tylor's avowed purpose is to show that my method vitiates the whole argument "having previously asserted that my method is to extract "from laws of nature the reasons how and why men do all things. It is amusing to place by the side of this the assertion of *The Times* reviewer (March 11th, 1880) who says that my method is "to state the facts as simply as possible with just a word or two on their mutual bearings and their place in his [my] 'system'; and who laments that I have not sufficiently connected the facts with principles! The one says I proceed exclusively by deduction; the other says that I proceed almost exclusively by induction! But the reviewer needs not depend on authority: the evidence is before him. In it be will, I think fail to recognize the truth of Dr Tylor's statement and having thus tested one of his statements will see that others of his statements are not to be taken as valid simply because I did not occupy time and space in stating them.

CHAPTER IV.

PRESENTS

§ 368 Travellers, coming in contact with strange peoples, habitually propitiate them by gifts. Two results are achieved Gratification caused by the worth of the thing given, tends to beget a friendly mood in the person approached, and there is a tacit expression of the donor's desire to please, which has a like effect. It is from the last of these that gift-making as a ceremony proceeds.

The alliance between mutilations and presents—between offering a part of the body and offering something else—is well shown by a statement respecting the ancient Peruvians, which also shows how present-making becomes a propitiatory act, apart from the value of the thing presented Describing people who carry burdens over the high passes, Garcilasso says they unload themselves on the top, and then severally say to the god Pachacamac,—

“‘I give thanks that this has been carried,’ and in making an offering they pulled a hair out of their eyebrows, or took the herb called *cucu* from their mouths, as a gift of the most precious things they had Or if there was nothing better, they offered a small stick or piece of straw, or even a piece of stone or earth There were great heaps of these offerings at the summits of passes over the mountains”

Though, coming in this unfamiliar form, these offerings of parts of themselves, or of things they prized, or of worthless things, seem strange, they will seem less strange on remembering that at the foot of a wayside crucifix in France, may

any day be seen a heap of small crosses ^{generally} made of two bits of lath nailed together. Intrinsically of no more value than these straws, sticks, and stones the Peruvians offered they similarly force on our attention the truth that the act of presentation passes into a ceremony expressing the wish to conciliate. How natural is this substitution of a nominal giving for a real giving, where a real giving is impracticable, we are shown even by intelligent animals. A retriever, accustomed to please his master by fetching killed birds &c. will fall into the habit at other times of fetching things to show his desire to please. On first seeing in the morning some one he is friendly with he will add to his demonstrations of joy, the seeking and bringing in his mouth a dead leaf, a twig or any small available object lying near. And, while serving to show the natural genesis of this propitiatory ceremony, his behaviour serves also to show how deep down there begins the process of symbolization, and how at the outset, the symbol used is as near a repetition of the act symbolized as circumstances allow.

Prepared as we thus are to trace the development of gift making into a ceremony, let us now observe its several varieties and the social arrangements eventually derived from them.

§ 369 In headless tribes, and in tribes of which the headship is unsettled, and in tribes of which the headship though settled is feeble making presents does not become an established usage. Australians, Tasmanians, Fuegians are instances; and on reading through accounts of wild American races that are little organized like the Iroquois, Chinooks, Snakes, Comanches, Chippewas, or are organized in a democratic manner like the Iroquois and the Creeks we find, along with absence of strong personal rule scarcely any mention of gift making as a political observance.

In apt contrast come accounts of usages among those

American ~~cases~~ ^{peoples} which in past times reached, under despotic governments, considerable degrees of civilization. Torquemada writes that in Mexico, "when any one goes to salute the lord or king, he takes with him flowers and gifts" Of the Chibchas we read that "when they brought a present in order to negotiate or speak with the cazique (for no one went to visit him without bringing a gift), they entered with the head and body bent downwards" Among the Yucatanese, "when there was hunting or fishing or salt-carrying, they always gave a part to the lord" Peoples of other types, as the Malayo-Polynesians, living in kindred stages of social progress under the undisputed sway of chiefs, exemplify this same custom Speaking of things bartered to the Tahitian populace for food, native cloth, &c, Forster says—"However, we found that after some time all this acquired wealth flowed as presents, or voluntary acknowledgments, into the treasure of the various chiefs" In Fiji, again, "whoever asks a favour of a chief, or seeks civil intercourse with him, is expected to bring a present"

These last cases show us how making presents passes from a voluntary propitiation into a compulsory propitiation, for on reading that "the Tahitian chiefs plundered the plantations of their subjects at will," and that in Fiji, "chiefs take the property and persons of others by force," it becomes manifest that present-making develops into the giving of a part to prevent loss of the whole It is the policy at once to satisfy cupidity and to express submission "The Malagasy, slaves as well as others, occasionally make presents of provisions to their chiefs, as an acknowledgment of homage" And it is inferable that in proportion to the power of chiefs, will be the anxiety to please them, both by forestalling their greedy desires and by displaying loyalty

In few if any cases, however, does the carrying of gifts to a chief become so developed a usage in a simple tribe. At first the head man, not much differentiated from the rest, fails to impress them with a fear great enough to make

present-giving an habitual ceremony. It is fully made of pound society, resulting from the over running of no more by a conquering tribe, that there comes a go¹⁰ Peruvians formed of head-chief and sub-chiefs, sufficiently truth that from the rest, and sufficiently powerful to inspire awe. The above examples are all taken from societies in which kingship has been reached.

§ 370 A more extended form is simultaneously assumed by this ceremony. For where along with subordinate rulers there exists a chief ruler he has to be propitiated alike by the people at large and by the subordinate rulers. We must here observe the growth of both kinds of gift-making that hence arise.

A place in which the usage has retained its primitive character is Timbuctoo. Here "the king does not levy any tribute on his subjects or on foreign merchants, but he receives presents." But Caillie adds—"There is no regular government. The king is like a father ruling his children." When disputes arise, he "assembles a council of the elders." That is to say, present giving remains voluntary where the kingly power is not great. Among the Kassirs, we see gifts losing their voluntary character. "The revenue of the king consists of an annual contribution of cattle first fruits," &c., and "when a Koo¹⁰ [Kassir] opens his granary he must send a little of the grain to his neighbours and a larger portion to the king." In Abyssinia there is a like mixture of exactions and spontaneous gifts. Besides settled contributions the prince of Tigra receives annual presents. I evidently when presents that have become customary have ceased to be propitiatory there is a tendency to make other presents that are propitiatory because unexpected.

If an offering made by a private person implies submission still more does an offering made by a subordinate ruler to a supreme ruler. Hence the making of presents grows into a formal recognition of supremacy. In ancient Persia, &c.

American 1295 one was elected king . . . all the lords of governments appeared or sent relations of theirs . . . with made wives Among the Chibchas, when a new king came to the lord or "the chief men then took an oath that they would be obedient and loyal vassals, and as a proof of their loyalty each one gave him a jewel and a number of rabbits &c" Of the Mexicans, Toribio says—"Each year, at certain festivals, those Indians who did not pay taxes, even the chiefs . . . made gifts to the sovereigns in token of their submission" And so in Peru, "no one approached Atahualpa without bringing a present in token of submission" This significance of gift-making is shown in the records of the Hebrews In proof of Solomon's supremacy it is said that "all the kings of the earth sought the presence of Solomon and they brought every man his present . . . a rate year by year" Conversely, when Saul was chosen king "the children of Belial said, How shall this man save us? And they despised him, and brought him no presents" Throughout the remote East the bringing of presents to the chief ruler has still the same meaning I have before me illustrative facts from Japan, from China, from Buimah

Nor does early European history fail to exemplify present-giving and its implications During the Merovingian period "on a fixed day, once a-year, in the field of March, according to ancient custom, gifts were offered to the kings by the people," and this custom continued into the Carolingian period Such gifts were made alike by individuals and communities From the time of Gontram, who was overwhelmed with gifts by the inhabitants of Orleans on his entry, it long continued the habit with towns thus to seek the goodwill of monarchs who visited them In ancient England, too, when the monarch visited a town, present-making entailed so heavy a loss that in some cases "the passing of the royal family and court was viewed as a great misfortune"

§ 871 Grouped as above, the evidence implies that from propitiatory presents, voluntary and exceptional to begin with but becoming as political power strengthens less voluntary and more general, there eventually grow up universal and involuntary contributions—established tribute, and that with the rise of a currency this passes into taxation. How this transformation takes place is well shown in Persia. Speaking of the “irregular and oppressive taxes to which they [the Persians] are continually exposed” Malcolm says— The first of these extra taxes may be termed usual and extraordinary presents. The usual presents to the king are those made annually by all governors of provinces and districts chiefs of tribes ministers, and all other officers in high charge, at the feast of Nourouze or vernal equinox. The amount presented on this occasion is generally regulated by usage to fall short is loss of office and to exceed is increase of favour.”

The passing of present making into payment of tribute as it becomes periodic, is clearly exemplified in some comparatively small societies where governmental power is well established. In Tonga “the higher class of chiefs generally make a present to the king of hogs and yams, about once a fortnight these chiefs at the same time receive presents from those below them, and these last from others and so on, down to the common people.” Ancient Mexico, formed of provinces dependent in various degrees, exhibited several stages of the transition. “The provinces made these contributions since they were conquered that the gallant Mexicans might cease to destroy them” clearly showing that the presents were at first propitiatory. Again “in Mexatlan the tribute was not paid at fixed times but when the king wanted it. Then of the tribute throughout the country of Montezuma we are told that some of these were paid annually others every six months and others every eighty days.” And further of the gifts made at festivals by some “In token of it is

submission," Toribio says—"In this way it seems manifest that the chiefs, the merchants, and the landed proprietors, were not obliged to pay taxes, but did so voluntarily."

A like transition is traceable in early European history. Among the sources of revenue of the Merovingian kings, Waitz enumerates the freewill gifts of the people on various occasions, besides the yearly presents made originally at the March gatherings. And then, speaking of these yearly presents in the Carolingian period, the same writer says they had long lost their voluntary character, and are even described as a tax by Hincmar. They included horses, gold, silver, and jewels, and (from nunneries) garments, and requisitions for the royal palaces; and he adds that these dues, or *tributa*, were all of a more or less private character though compulsory they had not yet become taxes in the literal sense. So, too, with the things presented to minor rulers by their feudal dependants. "The *dona*, after having been, as the name sufficiently indicates, voluntary gifts, were in the twelfth century become territorial dues received by the lords."

In proportion as values became more definite and payments in coin easier, commutation resulted. Instance, in the Carolingian period, "the so-called *inficendu*—a due originally paid in cattle, now in money," instance the *oublies*, consisting of bread "presented on certain days by vassals to their lords," which "were often replaced by a small annual due in money," instance, in our own history, the giving of money instead of goods by towns to a king and his suite making a progress through them. The evidence may fitly be closed with the following passage from Stubbs —

"The ordinary revenue of the English king had been derived solely from the royal estates and the produce of what had been the folkland with such commuted payments of *seormsultum*, or provision in kind as represented either the reserved rents from ancient possessions of the crown, or the quasi voluntary tribute paid by the nation to its chosen head."

In which passage are simultaneously implied the transition from voluntary gifts to involuntary tribute, and the commutation of tribute into taxes

§ 372 If voluntary gifts to the supreme man by-and-by become tribute, and eventually form a settled revenue, may we not expect that gifts made to his subordinates, when their aid is wished, will similarly become customary, and at length yield them maintenance? Will not the process above indicated in relation to the major State functionary repeat itself with the minor State-functionaries? We find that it does so

First it is to be noted that, besides ordinary presents, the ruling man in early stages commonly has special presents made to him when called on to use his power in aid of an aggrieved subject. Among the Chibchas, "no one could appear in the presence of a king casique, or superior, without bringing a gift which was to be delivered before the petition was made." In Sumatra, a chief "levies no taxes, nor has any revenue, or other emolument from his subjects, than what accrues to him from the determination of causes." Of Gulab Singh a late ruler of Jummoo, Mr Drew says— "With the customary offering of a rupee as *na ar* [present] any one could get his ear even in a crowd one could catch his eye by holding up a rupee and crying out 'Maharajah, a petition!' He would pounce down like a hawk on the money, and having appropriated it, would patiently hear out the petitioner." There is evidence that among ourselves in ancient days a kindred usage existed. "We may readily believe," says Broom referring to a statement of Lingard, "that few princes in the [Anglo-Saxon] days declined to exercise judicial functions when solicited by favourites, tempted by bribery, or stimulated by cupidity and avarice." And in reading that in early Norman times "the first step in the process of obtaining redress was to sue out or purchase"

by paying the stated fees," the king's original writ, requiring the defendant to appear before him, we may suspect that the amount paid for this document represented what had originally been the present to the king for giving his judicial aid. There is support for this inference Blackstone says — "Now, indeed, even the royal writs are held to be demandable of common right, on paying the usual fees " implying a preceding time in which the granting of them was a matter of royal favour obtained by propitiation

Naturally, then, when judicial and other functions come to be deputed, gifts will similarly be made to obtain the services of the functionaries, and these, originally voluntary, will become compulsory Ancient records yield evidence Amos ii 6, implies that judges received presents, as are said to do the Turkish magistrates in the same regions down to our day, and on finding that habitually among the Kughis, "the judge takes presents from both sides," we see that the assumption of the prophet, and of the modern observer, that this usage arose by a corruption, adds one to those many cases in which survival of a lower state is mistaken for degradation of a higher In France, the king in 1256 imposed on his judicial officials, "high and subalterns, an oath to make or receive no present, to administer justice without regard to persons " Nevertheless gifts continued Judges received "spices" as a mark of gratitude from those who had won a cause By 1369, if not before, these were converted into money, and in 1402 they were recognized as dues In our own history the case of Bacon exemplifies not a special and late practice, but an old and usual one Local records show the habitual making of gifts to officers of justice and their attendants, and "no approach to a great man, a magistrate, or courtier, was ever made without the oriental accompaniment—a gift" "Damage cleer," a gratuity to prothonotaries, had become in the seventeenth century, a fixed assessment That the presents to State-functionaries formed, in some cases, their

entire revenues, is inferable from the fact that in the twelfth century the great offices of the royal household were bought the value of the presents received was great enough to make the places worth buying. Good evidence comes from Russia. Karamzin "repeats the observations of the travellers who visited Moscow in the sixteenth century — 'Is it surprising,' say these strangers, 'that the Grand Prince is rich? He neither gives money to his troops nor his ambassadors, he even takes from these last all the costly things they bring back from foreign lands. Nevertheless these men do not complain.'"

Whence we must infer that, lacking payments from above, they lived on gifts from below. Whence further, it becomes manifest that what we call the bribes which the miserably salaried officials in Russia now require before performing their duties, represent the presents which formed their sole maintenance in times when they had no salaries. And the like may be inferred respecting Spain of which Rose says — "From judge down to constable, bribery and corruption prevail. There is this excuse however, for the poor Spanish official. His government gives him no remuneration and expects everything of him."

So natural has habit now made to us the payment of fixed sums for specified services, that we assume this relation to have existed from the beginning. But when we read how in slightly-organized societies such as that of the Bechmanas, the chiefs allow their attendants "a scanty portion of food or milk, and leave them to make up the deficiency by hunting or by digging up wild roots;" and how in societies considerably more advanced as Dahomey

no officer under government is paid, we are shown that originally the subordinates of the chief man not officially supported, have to support themselves. And as their positions enable them to injure or to benefit subject persons — and indeed it is often only by this that the chief man can be installed — there are extraneous motives to justify it.

them by presents that there does to propitiate by presents the chief man himself Whence the parallel growth of an income. Here, from the East, is an illustration come upon since the foregoing sentences were first published —“None of these [servants or slaves] receive any wages, but the master presents each with a suit of clothes at the great yearly festival, and gifts are also bestowed upon them, mostly in money (bakshish), from such visitors as have business with their master, and desire a good word spoken to him at the opportune moment”

§ 373 Since, at first, the double of the dead man, like him in all other respects, is conceived as being no less liable to pain, cold, hunger, thirst, he is supposed to be similarly propitiated by providing for him food, drink, clothing, &c At the outset, then, presents to the dead differ from presents to the living neither in meaning nor motive

Lower forms of society all over the world furnish proofs Food and drink are left with the unburi'd corpse by Papuans, Tahitians, Sandwich Islanders, Malanans, Badagas, Karens, ancient Peruvians, Brazilians, &c Food and drink are afterwards carried to the grave in Africa by the Sherbro people, the Loango people, the inland Negroes, the Dahomans, and others, throughout the Indian hills by Bhils, Santals, Kukis, in America by Caribs, Chibchas, Mexicans, and the like usage was general among ancient races in the East Clothes are periodically taken as presents to the dead by the Esquimaux In Patagonia they annually open the sepulchral chambers and re-clothe the dead, as did, too, the ancient Peruvians When a potentate dies among the Congo people, the quantity of clothes given from time to time is so great “that the first hut in which the body is deposited becoming too small, a second, a third, even to a sixth, increasing in dimensions, is placed over it” And, occasionally, the gifts made by subordinate rulers to the ghost of a supreme dead ruler, simulate the tribute paid to

him when living Concerning a royal funeral in Tonquin, Tavernier writes —

"There proceeds afterwards Six Princesses who carry Meat and Drink for the deceased King Four Governours of the four chief provinces of the Kingdom, each bearing a stick on his shoulder on which hangs a bag full of Gold and several Perfumes, and these bags contain the Presents which the several Provinces make unto the deceased King for to be buried with his corps, that he may make use of the same in the other World."

Not can there be any doubt about the likeness of intention When we read that a chief among the New Caledonians says to the ghost of his ancestor—"Compassionate father, here is some food for you eat it, be kind to us on account of it" or when the Veddah calling by name a deceased relative says—"Come and partake of this Give us maintenance, as you did when living" we see it to be undeniable that present giving to the dead is like present giving to the living with the difference that the receiver is invisible

Noting only that there is a like motive for a like propitiation of the undistinguished supernatural beings which primitive men suppose to be all around them—noting that whether it be in the fragments of bread and cake left for elves by our Scandinavian ancestors or in the entables which Dyaks place on the tops of their houses to feed the spirits, or in the portions of food cast aside and of drink poured out for the ghosts before beginning their meals, by various races throughout the world; let us go on to observe the developed present making to the developed supernatural being The things given and the motives for giving them remain the same though the sameness is disguised by the use of different words—oblations to a deity and presents to a living person The original identity is well shown in the statement concerning the Greeks—"Gift as an old proverb says, determines the acts of gods and kings" and it is equally well shown by a verse in the Isaiah (lxxvi 11) —
Now and forever will the Lord your God be all that is

round about him bring presents unto him that our political feared " Observe the parallelism in detail. ops, unto

Food and drink, which constitute the earliest kind of propitiatory gift to a living person, and also the earliest kind of propitiatory gift to a ghost, remain everywhere the essential components of an oblation to a deity. As, where political power is evolving, the presents sent to the chief at first consist mainly of sustenance, so, where ancestor-worship, developing, has expanded a ghost into a god, the offerings have as elements common to them in all places and times, things serving for nutrition. That this is so in low societies no proof is needed, and that it is so in higher societies is also a conspicuous fact, though a fact ignored where its significance is most worthy to be remarked. If a Zulu slays an ox to secure the goodwill of his dead relative's ghost, who complains to him in a dream that he has not been fed—if among the Zulus this private act develops into a public act when a bullock is periodically killed as "a propitiatory Offering to the Spirit of the King's immediate Ancestor," we may, without impropriety, ask whether there do not thus arise such acts as those of an Egyptian king, who by hecatombs of oxen hopes to please the ghost of his deified father; but it is not supposable that there was any kindred origin for the sacrifices of cattle to Jahveh, concerning which such elaborate directions are given in Leviticus. When we read that among the Greeks "it was customary to pay the same offices to the gods which men stand in need of the temples were their houses, sacrifices their food, altars their tables," it is permissible to observe the analogy between these presents of eatables made to gods, and the presents of eatables made at graves to the dead, as being both derived from similar presents made to the living, but that the presentation of meat, bread, fruits, and liquors to Jahveh had a kindred derivation, a thought not to be entertained—not even though we have a complete parallel between the cakes which Abraham bakes to refresh

him when / whom he comes to visit him in his tent on the Sabbath. Manna and the show bread kept on the altar and from time to time replaced by other bread fresh and hot (1 Sam xxi 6). Here, however, recognizing these parallels it may be added that though in later Hebrew times the original and gross interpretation of sacrifices became obscured and though the primitive theory has since undergone gradual dissipation, yet the form survives. The offertory of our Church still retains the words—'accept our alms and oblations'—and at her coronation Queen Victoria offered on the altar, by the hands of the archbishop, "an altar-cloth of gold and an ingot of gold" a sword then 'bread and wine for the communion' then "a purse of gold" followed by a prayer 'to receive these oblations'.

Evidence from all parts of the world thus proves that oblations are at first literally presents. Animals are given to kings slain on graves sacrificed in temples, cooked food is furnished to chiefs laid on tombs, placed on altars. First fruits are presented to living rulers to dead rulers, to gods. Here beer, here wine, here *chica* is sent to a potentate offered to a ghost and poured out as libation to a deity incense burnt before ancient kings, and in some places burnt before distinguished persons, is burnt before gods in various places and besides such consumable things, valuables of every kind, given to secure goodwill, are accumulated in royal treasures and in sacred temples.

There is one further remark of moment. We saw that the present to the visible ruler was at first propitiatory because of its intrinsic worth but came afterwards to have an extrinsic propitiatory effect as implying loyalty. Similarly the presents to the invisible ruler primarily considered as directly useful secondarily come to signify obedience; and their secondary meaning gives that ceremonial character to the cult which still survives.

§ 374 And now we come to a remarkable sequence

As the present to the ruler eventually develops into political revenue, so the present to the god eventually develops into ecclesiastical revenue

Let us set out with that earliest stage in which no ecclesiastical organization exists. At this stage the present to the supernatural being is often shared between him and those who worship him. While the supernatural being is propitiated by the gift of food, there is, by eating together, established between him and his propitiators a bond of union implying protection on the one side and allegiance on the other. The primitive notion that the nature of a thing, inhering in all its parts, is acquired by those who consume it, and that therefore those who consume two parts of one thing, acquire from it some nature in common—that same notion which initiates the practice of forming a brotherhood by partaking of one another's blood, which instigates the funeral rite of blood-offering, and which gives strength to the claims established by joining in the same meal, originates this prevalent usage of eating part of that which is presented to the ghost or to the god. In some places the people at large participate in the offering, in some places the medicine-men or priests only, and in some places the last practice is habitual while the first is occasional, as in ancient Mexico, where communicants "who had partaken of the sacred food were engaged to serve the god during the subsequent year."

Here the fact which concerns us is that from the presents thus used, there arises a maintenance for the sacerdotal class. Among the Kukis the priest, to pacify the angry deity who has made some one ill, takes, it may be a fowl, which he says the god requires, and pouring its blood as an offering on the ground while muttering praises, "then deliberately sits down, roasts and eats the fowl, throws the refuse into the jungle and returns home." The Battas of Sumatra sacrifice to their gods, horses, buffaloes, goats, dogs, fowls, "or whatever animal the wizard happens on

that day to be most inclined to eat." And by the Bustar tribes in India, Kodo Pen 'is worshipped at a small heap of stones by every new comer, through the oldest resident, with fowls, eggs, grain and a few copper coins, which become the property of the officiating priest." Africa has more developed societies which show us a kindred arrangement. In Dahomey, "those who have the 'cure of souls' receive no regular pay, but live well upon the benevolences of votaries' in their temples, "small offerings are daily given by devotees, and removed by the priests." Similarly in Ashantee, "the revenue of the fetishmen is derived from the liberality of the people. A moiety of the offerings which are presented to the fetish belongs to the priests." It is the same in Polynesia. Describing the Tahitian doctor as almost invariably a priest, Ellis states that he received a fee, part of which was supposed to belong to the gods, before commencing operations. So too, was it in the ancient states of Central America. A cross-examination narrated by Oriedo, contains the passage —

Fr Do you offer anything else in your temples?

Ind Every one brings from his house what he wishes to offer—as fowls fish or maize or other things—and the boys take it and put it inside the temple.

Fr Who eats the things thus offered?

Ind The father of the temple eats them, and what remains is eaten by the boys."

And then in Peru where worship of the dead was a main occupation of the living, the accumulated gifts to ghosts and gods had resulted in sacred estates numerous and rich, out

passages entitle the priest to the skin of the offering, and to the whole of the baked and fried offering. Neither does the history of early Christianity fail to exhibit the like development. "In the first ages of the Church, those *deposita pietatis* which are mentioned by Tertullian were all voluntary oblations." Afterwards "a more fixed maintenance was necessary for the clergy, but still oblations were made by the people . . . These oblations [defined as 'whatever religious Christians offered to God and the Church'], which were at first voluntary, became afterwards, by continual payment, due by custom." In mediæval times a further stage in the transition is shown us.—"Besides what was necessary for the communion of priests and laymen, and that which was intended for eulogies, it was at first the usage to offer all sorts of presents, which at a later date were taken to the bishop's house and ceased to be brought to the church." And then by continuation and enlargement of such donations, growing into bequests, nominally to God and practically to the Church, there grew up ecclesiastical revenues.

§ 375 The foregoing statements represent all presents as made by inferiors to propitiate superiors, ignoring the presents made by superiors to inferiors. The contrast between the two in meaning, is well recognized where present-making is much elaborated, as in China. "At or after the customary visits between superiors and inferiors, an interchange of presents takes place, but those from the former are bestowed as *donations*, while the latter are received as *offerings* these being the Chinese terms for such presents as pass between the emperor and foreign princes." Concerning donations something must here be said, though their ceremonial character is not marked.

As the power of the political head develops, until at length he assumes universal ownership, there results a state in which he finds it needful to give back part of that

between the two in the familiar cases of gifts made by European travellers to native chiefs, as where Mungo Park writes—"Presented Man a Kussan [the chief man of Juhfunda] with some amber coral, and scarlet, with which he appeared to be perfectly satisfied, and sent a bullock in return" Such transactions show us both the original meaning of the initial present as propitiatory, and the idea that the responsive present should have an approximately like value implying informal barter. Nay more. Certain usages of the North American Indians suggest that even a circulating medium may originate from propitiatory presents. Catlin writes—

"Wampum has been invariably manufactured and highly valued as a circulating medium (instead of coins, of which the Indians have no knowledge); so many strings, or so many bands-breadth, being the fixed value of a horse a gun a robe &c. In treaties, the wampum belt has been passed as the pledge of friendship and from time immemorial sent to hostile tribes as the messenger of peace; or paid by so many fathoms length as tribute to conquering enemies.

Speculation aside, we have to note how the propitiatory present becomes a social observance. That along with the original form of it signifying allegiance, there goes the spread of it as a means to friendship was shown in ancient America. Of the Yucatanese we read that "at their visits the Indians always carry with them presents to be given away according to their position; those visited respond by another gift." In Japan so rigorously ceremonious, the stages of the descent are well shown. There are the periodic presents to the Mikado expressive of loyalty there is "the giving of presents from inferiors to superiors" and between equals

it is customary on the occasion of a first visit to a house to carry a present to the owner who gives something of equal value on returning the visit." Other races show us the mutual propitiation taking other forms. Markham writing of Himalayan people states that exchanging cups is as certain a mark of friendship in the hill, as touching is the plain. exchanging turbans. But the most striking

development of gift-making into a form, occurs in Bootan, where "between people of every rank and station in life the presenting of a silk scarf constantly forms an essential part of the ceremonial of salutation "

"An inferior, on approaching a superior, presents the white silk scarf, and, when dismissed, has one thrown over his neck, with the ends hanging down in front. Equals exchange scarfs on meeting, bending towards each other, with an inclination of the body. No intercourse whatever takes place without the intervention of a scarf, it always accompanies every letter, being enclosed in the same packet, however distant the place to which it is despatched "

How gift-making, first developed into a ceremony by fear of the chief ruler, and made to take a wider range by fear of the powerful, is eventually rendered general by fear of equals who may prove enemies if they are passed over when others are propitiated, we may gather from European history. Thus in Rome, "all the world gave or received New Year's gifts." Clients gave them to their patrons, all the Romans gave them to Augustus. "He was seated in the entrance-hall of his house, they defiled before him, and every citizen holding his offering in his hand, laid it, when passing, at the feet of that terrestrial god. . . the sovereign gave back a sum equal or superior to their presents." Because of its association with pagan institutions, this custom, surviving into Christian times, was condemned by the Church. In 578 the Council of Auxerre forbade New Year's gifts, which it characterized in strong words. Ives, of Chartres, says—"There are some who accept from others, and themselves give, devilish New Year's gifts." In the twelfth century, Maurice, bishop of Paris, preached against bad people who "put their faith in presents, and say that none will remain rich during the year if he has not had a gift on New Year's day." Notwithstanding ecclesiastical interdicts, however, the custom survived through the Middle Ages down to modern times. Moreover, there simultaneously developed kindred periodic ceremonies, such as, in France, the giving of Easter eggs.

And present-makings of these kinds have undergone changes like those which we traced in other kinds of present-makings: beginning as voluntary, they have become in a measure compulsory.

§ 377 Spontaneously made among primitive men to one whose goodwill is desired, the gift thus becomes, as society evolves, the originator of many things.

To the political head, as his power grows, presents are prompted partly by fear of him and partly by the wish for his aid: and such presents, at first propitiatory only in virtue of their intrinsic worth, grow to be propitiatory as expressions of loyalty: from the last of which comes present giving as a ceremonial and from the first of which comes present giving as tribute, eventually changing into taxes. Simultaneously, the surplus of food &c. placed on the grave of the dead man to please his ghost, developing into larger and repeated offerings at the grave of the distinguished dead man and becoming at length sacrifices on the altar of the god differentiate in an analogous way the present of meat, drink or clothes, at first supposed to beget goodwill because actually useful becomes, by implication, significant of allegiance. Hence, making the gift grows into an act of worship irrespective of the value of the thing given while as affording sustenance to the priest the gift makes possible the agency by which the worship is conducted. From oblations originate Church revenue.

Thus we unexpectedly come upon further proof that the control of ceremony precedes the political and real material controls; since it appears that from a time which the historical records eventually result the laws by which the civilisation is governed.

When we ask what relation presents have to the social type we look in the first place to the gift as a social act. The simple exchange of gifts is a social act of friendship and is a social

or is unstable. Conversely, it prevails in compound and doubly-compound societies, as throughout the semi-civilized states of Africa, those of Polynesia, those of ancient America, where the presence of stable headships, primary and secondary, gives both the opportunity and the motive. Recognizing this truth, we are led to recognize the deeper truth that present-making, while but indirectly related to the social type as simple or compound, is directly related to it as more or less militant in organization. The desire to propitiate is great in proportion as the person to be propitiated is feared, and therefore the conquering chief, and still more the king who has made himself by force of arms ruler over many chiefs, is one whose goodwill is most anxiously sought by acts which simultaneously gratify his avarice and express submission. Hence, then, the fact that the ceremony of making gifts to the ruler prevails most in societies that are either actually militant, or in which chronic militancy during past times has evolved the despotic government appropriate to it. Hence the fact that throughout the East where this social type exists everywhere, the making of presents to those in authority is everywhere imperative. Hence the fact that in early European ages, while the social activities were militant and the structures corresponded, loyal presents to kings from individuals and corporate bodies were universal, while donations from superiors to inferiors, also growing out of that state of complete dependence which accompanied militancy, were common.

The like connexion holds with religious offerings. In the extinct militant States of the New World, sacrifices to gods were perpetual, and then shrines were being ever enriched by deposited valuables. Papyrus, wall-paintings, and sculptures, show us that among ancient Eastern nations, highly militant in their activities and types of structure, oblations to deities were large and continual, and that vast amounts of property were devoted to making their temples glorious. During early and militant times throughout

Europe, gifts to God and the Church were more general and extensive than they are in our relatively industrial times. It is observable, too, how even now, that representative of the primitive oblation which we still have in the bread and wine of the mass and the sacrament (offered to God before being consumed by communicants), recurs less frequently here than in Catholic societies, which are relatively more militant in type of organization, while the offering of incense which is one of the primitive forms of sacrifice among various peoples and survives in the Catholic service, has disappeared from the authorized service in England. Nor in our own society do we fail to trace a kindred contrast. For while we in the Established Church, which forms part of that regulative structure developed by militancy, sacrificial observances continue, they are not performed by that most unecclesiastical of sects, the Quakers who absolutely unmilitant, show us also by the absence of an established priesthood and by the democratic form of their government the type of organization most characteristic of industrialism.

The like holds even with the custom of present giving for purposes of social propitiation. We see this on comparing European nations, which otherwise much upon a par in their stages of progress, differ in the degrees to which industrialism has qualified militancy. In Germany, where periodic making of gifts among relatives and friends is a universal obligation, and in France where the burden similarly entailed is so onerous that at the New Year and at latter periods not unfrequently leave home to escape it this social usage survives in greater strength than in

CHAPTER V.

VISITS

§ 378 One may go to the house of a blameworthy man to reproach him, or to that of an inferior who is in trouble to give aid, or to that of a reputed oddity to gratify curiosity a visit is not intrinsically a mark of homage Visits of certain kinds, however, become extrinsically marks of homage In its primitive form, making a present implies going to see the person it is made to. Hence, by association, this act comes to be itself indicative of respect, and eventually acquires the character of a reverential ceremony

From this it results that just as the once-voluntary present grows into the compulsory present, and ends in tribute periodically paid, so the concomitant visit loses its voluntary character, and, as political supremacy strengthens, becomes an expression of subordination demanded by the ruler at stated intervals.

§ 379 Naturally this ceremony takes no definite shape where chiefly power is undecided, and hence is not usual in simple tribes Even in societies partially compounded, it characterizes less the relations between the common people and the rulers next above them, than the relations between these subordinate rulers and superior rulers Still there are places where subjects show their local heads the consideration implied by this act Some of the Coast Negroes, the Joloffs for example, come daily to their village chiefs

to salute them and among the Kaffirs the Great Place (as the chief's residence is termed) is the resort of all the principal men of the tribe, who attend "for the purpose of paying their respects to the chief."

But, as just implied, the visits chiefly to be noted as elements in ceremonial government, are those which secondary rulers and officials of certain grades are required to pay. In a compound society headed by a chief who has been victorious over other chiefs, there arises the need for periodic demonstrations of allegiance. Habitually the central ruler knowing that these subjugated local rulers must chafe under their humiliation, and over suspecting conspiracies among them, insists on their frequently recurring presence at his place of residence. He thus satisfies himself in two ways: he receives re-assurances of loyalty by gifts brought and homage performed, while he gets proof that his guests are not then engaged in trying to throw off his yoke.

Hence the fact that in compound societies the periodic visit to the king is a political ceremony. Concerning a conquered people in ancient Peru we read that the Incas ordered that during certain months in the year the native chiefs should reside at the court of Cuzco, and speaking of other subordinate rulers, F. de Arce says—"Some of the chiefs [who came to visit Atahualpa] were lords of 30 000 Indians all subject to Atahualpa." In ancient Mexico a like usage is shown to have had a like origin. From the chiefs of the conquered province of Chalcó,

These and many kindred facts force on us the conclusion that from propitiatory visits, now to the living and now to the dead, have been developed those visits of worship which we class as religious. When we watch in a continental cemetery relatives periodically coming to hang fresh *immortelles* round tombs, and observe how the decayed wreaths on unvisited tombs are taken to imply lack of respect for the dead—when we remember how in Catholic countries journeys are made with kindred feelings to the shrines of semi-deified men called saints—when we note that between pilgrimages of this kind and pilgrimages made in days gone by to the Holy Sepulchre the differences are simply between the distances travelled and the ascribed degrees of holiness of the places—we see that the primitive man's visit to the grave, where the ghost is supposed to reside, originates the visit to the temple regarded as the residence of the god, and that both are allied to visits of reverence to the living. Remote as appear the going to church and the going to court, they are divergent forms of the same thing. That which once linked the two has now almost lapsed—but we need only go back to early times, when a journey to the abode of a living superior had the purpose of carrying a present doing homage and expressing submission, while the journey to a temple was made for offering oblations, professing obedience, uttering praises, to recognize the parallelism. Before the higher creeds arose the unseen ruler visited by the religious worshipper was supposed to be present in his temple, just as much as was the seen ruler visited at his court; and though now the presence of the unseen ruler in his temple is conceived in a vaguer way he is still supposed to be in closer proximity than usual.

putation of men who are less powerful, and, continuing to spread, finally becomes a propitiation of equals

How, as tacitly expressing subordination, the visit comes to be looked for by one who claims superiority, and to be recognized as an admission of inferiority by one who pays it, is well shown in a story which Palgrave narrates. Feysul, king of the Wahhabees, ordered his son Sa'ood to pay a visit to Abd-Allah, an elder brother. "'I am the stranger guest, while he is an inhabitant of the town,' replied Sa'ood, 'and it is accordingly his duty to call first on me'" Feysul entreated Abd-Allah "to fulfil the obligation of a first visit. But the elder son proved no less intractable."

Peoples in various parts of the world supply facts having kindred meanings. The old traveller Tavernier, writes that "the Persians are very much accustom'd to make mutual Visits one to another at their solemn Festivals. The more noble sort stay at home to expect the Visits of their Inferiors." So in Africa. Of a rich Indian trader, living at Unyanyembe, Grant says—"Moosah sat from morn till night . . . receiving salutes and compliments from the rich and poor." Passing to Europe we have, in ancient Rome, the morning calls of clients on their patrons. And in an old French book of manners translated into English in the seventeenth century, we read—"A great person is to be visited often, and his health to be inquir'd after."

These instances sufficiently indicate that gradual descent of the visit of ceremony which has finally brought it down to an ordinary civility—a civility which, however, still bears traces of its origin, since it is regarded more as due from an inferior to a superior than conversely, and is taken as a condescension when paid by a superior to an inferior. Evidently the morning call is a remote sequence of that system under which a subordinate ruler had from time to time to show loyalty to a chief ruler/ by presenting himself to do homage

§ 382 In this case as in preceding cases, we have, lastly, to note the relations between visit-making and types of social organization

That in simple tribes without settled headships, it cannot become a political ceremony is obvious and that it begins to prevail in societies compounded to the second and third degrees, the evidence clearly shows. As before, however so now, we find on grouping and comparing the facts that it is not so much with the size of the society as with its structure that this ceremony is connected. Being one of the expressions of obedience it is associated with development of the militant organization. Hence as proved by the instances given, it grows into a conspicuous element of ceremonial rule in nations which are under those despotic forms of government which militancy produces—ancient Mexico and ancient Peru in the New World, China and Japan in the East. And the earlier stages of European societies exemplified the relation.

The converse relation is no less manifest. Among ourselves, characterized as we now are by predominance of industrialism over militancy the visit as a manifestation of loyalty is no longer imperative. And in the substitution of cards for calls we may observe a growing tendency to dispense with it as a formality of social intercourse.

CHAPTER VI.

OBEISANCES

§ 383. Concerning a party of Shoshones surprised by them, Lewis and Clarke write—"The other two, an elderly woman and a little girl, seeing we were too near for them to escape, sat on the ground, and holding down their heads seemed as if reconciled to the death which they supposed awaited them. The same habit of holding down the head and inviting the enemy to strike, when all chance of escape is gone, is preserved in Egypt to this day." Here we are shown an effort to propitiate by absolute submission, and from acts so prompted originate obeisances.

When, at the outset, in illustration of the truth that ceremony precedes not only social evolution but human evolution, I named the behaviour of a small dog which throws itself on its back in presence of an alarming great dog, probably many readers thought I was putting on this behaviour a forced construction. They would not have thought so had they known that a parallel mode of behaviour occurs among human beings. Livingstone says of the Batoka salutation—"they throw themselves on their backs on the ground, and, rolling from side to side, slap the outside of their thighs as expressions of thankfulness and welcome." The assumption of this attitude, which implies—"You need not subdue me, I am subdued already," is the best means of obtaining safety. Resistance arouses the

destructive instincts, and prostration on the back negatives resistance. Another attitude equally helpless more elaborately displays subjugation. "At Tonga Tabu the common people show their great chief the greatest respect imaginable by prostrating themselves before him, and by putting his foot on their necks." The like occurs in Africa. Laird says the messengers from the king of Fundah 'each bent down and put my foot on their heads.' And among historic peoples this position, originated by defeat, became a position assumed in acknowledging submission.

From such primary obeisances representing completely the attitudes of the conquered beneath the conqueror, there come obeisances which express in various ways the subjection of the slave to the master. Of old in the East this subjection was expressed when 'Ben hadad's servants girded sackcloth on their loins, and put ropes on their heads and came to the king of Israel.' In Peru where the militant type of organization was pushed so far, a sign of humility was to have the hands tied and a rope round the neck. In both cases there was an assumption of those bonds which originally marked captives brought from the battle field. Along with this mode of simulating slavery to the Inca another mode was employed. Servitude had to be indicated by carrying a burden and 'thus taking up a load to enter the presence of Atahualpa is a ceremony which was performed by all the lords who have reigned in

§ 254 Though the loss of power to resist which prostration on the face implies, does not reach the utter defencelessness implied by prostration on the back, yet it is great enough to make it a sign of profound homage; and hence it occurs as an obeisance wherever despotism is unmitigated and subordination slavish. In ancient America, before a Chibcha cacique, "people had to appear prostrate and with their faces touching the ground." In Africa, "when he addresses the king, a Borghoo man stretches himself on the earth as flat as a flounder." Asia furnishes many instances. "When preferring a complaint, a Khond or Pannoo will throw himself on his face with his hands joined," and while, in Siam, "before the nobles all subordinates are in a state of reverent prostration, the nobles themselves, in the presence of the sovereign, exhibit the same crawling obeisance." Similarly in Polynesia. Falling on the face was a mark of submission among the Sandwich Islanders. the king did so to Cook when he first met him. And in the records of ancient historic peoples kindred illustrations are given, as when Mephibosheth fell on his face and did reverence before David, or as when the king of Bithynia fell on his face before the Roman senate. In some cases this attitude of the conquered before the conqueror, has its meaning emphasized by repetition. Bootan supplies an instance — "They . . . made before the Raja nine prostrations, which is the obeisance paid to him by his subjects whenever they are permitted to approach."

Every kind of ceremony is apt to have its primitive character obscured by abridgment, and by abridgment

this profoundest of obeisances is rendered a less piteous one. In performing a full length prostration they elapsed through an attitude in which the body is on the knees with the head on the ground, and to rise, it is needful to draw up the knees before raising the head and getting on the feet. Hence this attitude may be considered as an incomplete prostration. It is a very general one. Among the Coast Negroes, if a native "goes to visit his superior, and meets him by chance, he immediately falls on his knees, and thrice successively kisses the earth." In acknowledgment of his inferiority, the king of the Brass people never spoke to the king of the Ibos "without going down on his knees and touching the ground with his head." At Embomma, on the Congo, 'the mode of salutation is by gently clapping the hands and an inferior at the same time goes on his knees and kisses the bracelet on the superior's ankle."

Often the humility of this obeisance is increased by emphasizing the contact with the earth. On the lower Niger, 'as a mark of great respect, men prostrate themselves, and strike their heads against the ground.' When in past ages, the Emperor of Russia was crowned the nobles did homage by 'bending down their heads and knocking them at his feet to the very ground.' In China at the present time among the eight kinds of obeisance, increasing in humility, the fifth is kneeling and striking the head on the ground the sixth, kneeling and thrice knocking the head which again doubled makes the seventh and trebled the eighth this last being due to the Emperor and to Heaven. Among the Hebrews reputation had a low level meaning. 'Jacob bowed himself to the ground seven

thereby trying to be or invisible. "Abraham fell upon his face" before him when he covenanted with him, "Nebuchadnezzar fell on his face and worshipped Daniel," and when Nebuchadnezzar set up a golden image there was a threat of death on "whoso falleth not down and worshippeth." Similarly, the incomplete prostration in presence of kings occurs in presence of deities. When making obeisances to their idols, the Mongols touch the ground with the forehead and the Japanese in their temples "fall down upon their knees, bow their head quite to the ground, slowly and with great humility." And sketches of Mahomedans at their devotions familiarize us with a like attitude.

§ 385 From the positions of prostration on back or face, and of semi-prostration on knees, we pass to sundry others, which, however, continue to imply relative inability to resist. In some cases it is permissible to vary the attitude, as in Dahomey, where "the highest officers lie before the king in the position of Romans upon the *trichinium*. At times they roll over upon their bellies, or relieve themselves by standing 'on all fours.' Duran states that "cowering . . . was, with the Mexicans, the posture of respect, as with us is genuflexion." Crouching shows homage among the New Caledonians, as it does in Fiji, and in Tahiti.

Other changes in attitudes of this class are entailed by the necessities of locomotion. In Dahomey "when approaching royalty they either crawl like snakes or shuffle forward on their knees." When changing their places before a superior, the Siamese "drag themselves on their hands and knees." In Java an inferior must "walk with his hams upon his heels until he is out of his superior's sight." Similarly with the subjects of a Zulu king—even with his wives. And in Loango, extension of this attitude to the household appears not to be limited to the court wives in general "dare not speak to them [then husbands] but upon their bare knees, and in meeting them must creep upon

therefore, ets where they merely make a motion as if they were going to try it. When they salute a person of rank, they bend the knee in his manner as to touch the ground with their fingers "

upon are shown the same thing equally well, or better, in chadana, where, among the specified gradations of obeisance, the third is defined as bending the knee, and the fourth as actual kneeling. Manifestly that which still survives among ourselves as the curtesy with the one sex, and that which until recently survived with the other sex as the scrape (made by a backward sweep of the right foot), are both of them vanishing forms of the going down on one knee.

There remains only the accompanying bend of the body. This, while the first motion passed through in making a complete prostration, is also the last motion that survives as the prostration becomes stage by stage abridged. In various places we meet indications of this transition. "Among the Soosoos, even the wives of a great man, when speaking to him, bend their bodies, and place one hand upon each knee, this is done also when passing by." In Samoa, "in passing through a room where a chief is sitting, it is disrespectful to walk erect, the person must pass along with his body bent downwards." Of the ancient Mexicans who, during an assembly, crouched before their chief, we read that "when they retired, it was done with the head lowered." And then in the Chinese ritual of ceremony, obeisance number two, less humble than bending the knee, is bowing low with the hands joined. Bearing in mind that there are insensible transitions between the humble salaam of the Hindoo, the profound bow which in Europe shows great respect, and the moderate bend of the head expressive of consideration, we cannot doubt that the familiar and sometimes scarcely-perceptible nod, is the last trace of the prostration.

These several abridgments of the prostration which we see occur in doing political homage and social homage,

occur also in doing religious homage. Of the natives Bastian says that when they have to speak to a superior, they kneel, turn the face half aside and stretch out the hands towards the person addressed, which they strike together at the address. They might have sat as models to the Egyptians when making the representations on the temple walls, so striking the resemblance between what is represented there and what actually takes place here."

And we may note kindred parallelisms in European religious observances. There is the going on both knees and the going on one knee, and there are the bowings and the curtseyings on certain occasions at the name of Christ.

§ 386 As already explained, along with the act expressing humility, the complete obeisance includes some act expressing gratification. To propitiate the superior effectually it is needful at once to imply—"I am your slave" and—"I love you."

Certain of the instances cited above have exemplified the union of these two factors. Along with the attitude of abject submission assumed by the Batoka, we saw that there go rhythmic blows of the hands against the thighs. In some of the cases named, clapping of the hands also indicating joy, was described as being an accompaniment of movements showing subjection; and many others may be added. Nobles who approach the king of Iorango, "clap their hands two or three times and then cast themselves at his majesty's feet into the sand." Speke says of certain attendants of the king of Uganda, that they "throw themselves in line upon their bellies and wriggle like

We have seen that jumping, as a natural sign of delight, is a friendly salute among the Fuegians, and that it recurs in Loango as a mark of respect to the king. Africa furnishes another instance. Grant narrates that the king of Karague "received the salutations of his people, who, one by one, thrucked and spiang in front of him, swearing allegiance."

It is not such saltatory movements be systematized, as they are to be during social progress, and they will constitute dancing with which a ruler is sometimes saluted, as in the before-named case of the king of Bogotá, and as in the case Williams gives in his account of Fiji, where an inferior chief and his suite, entering the royal presence, "performed a dance, which they finished by presenting their clubs and upper dresses to the Somo-Somo king."

Of the other simulated signs of pleasure commonly forming part of the obeisance, kissing is the most conspicuous. This, of course, has to take such form as consists with the humility of the prostration or kindred attitude. As shown in certain foregoing instances, we have kissing the earth when the superior cannot be approached close enough for kissing the feet or the garment. Others may be added. "It is the custom at Eboe, when the king is out, and indeed indoors as well, for the principal people to kneel on the ground and kiss it three times when he passes," and the ancient Mexican ambassadors, on coming to Cortes, "first touched the ground with their hands and then kissed it." This, in the ancient East, expressed submission of conquered to conqueror, and is said to have gone as far as kissing the footmarks of a conqueror's horse. Abyssinia, where the despotism is extreme and the obeisances servile, applies a modification. In Shoa, kissing the nearest inanimate object belonging to a superior or a benefactor, is a sign of respect and thanks. From this we pass to licking the feet and kissing the feet. Of a Malagasy chief Drury says—"he had scarcely seated himself at his door, when his wife came out crawling on her hands and knees

the hands, raising them before the face or above the head." Of the eight obeisances in China, the least profound is that of putting the hands together and raising them before the breast. Even among ourselves a remnant of this action is traceable. An obsequious shopman or fussy innkeeper, may be seen to join and loosely move the slightly raised hands one over another, in a way suggestive of derivation from this primitive sign of submission.

§ 389 A group of obeisances having a connected, though divergent, root, come next to be dealt with. Those which we have thus far considered do not directly affect the subject person's dress. But from modifications of dress either in position, state, or kind, a series of ceremonial observances result.

The conquered man prostrate before his conqueror, and becoming himself a possession, simultaneously loses possession of whatever things he has about him, and therefore surrendering his weapons, he also yields up, if the victor demands it, whatever part of his dress is worth taking. Hence the nakedness, partial or complete, of the captive, becomes additional evidence of his subjugation. That it

"The chief of Somo Somo, who had previously stripped off his robes, then sat down, and removed even the train or covering, which was of immense length, from his waist. He gave it to the speaker," who gave him "in return a piece large enough only for the purposes of decency. The rest of the Somo Somo chiefs, each of whom on coming on the ground had a train of several yards in length, stripped themselves entirely, left their trains, and walked away. thus leaving all the Somo-Somo people naked."

Further we read that during Cook's stay at Tahiti, two men of superior rank "came on board, and each singled out his friend. . . this ceremony consisted in taking off great part of their clothes and putting them upon us." And then in another Polynesian island, Samoa, this complimentary act is greatly abridged only the girdle is presented.

With such facts to give us the clue, we can scarcely doubt that surrender of clothing originates those obeisances which are made by uncovering the body, more or less extensively. All degrees of uncovering have this meaning. From Ibn Batuta's account of his journey into the Soudan, Mr Tylor cites the statement that "women may only come unclothed into the presence of the Sultan of Meli, and even the Sultan's own daughters must conform to the custom," and what doubt we might reasonably feel as to the existence of an obeisance thus carried to its original extreme, is removed on reading in Speke that at the present time, at the court of Uganda, "stark-naked, full-grown women are the valets." Elsewhere in Africa an incomplete, though still considerable, unclothing as an obeisance occurs. In Abyssinia inferiors bare their bodies down to the girdle in presence of superiors, "but to equals the corner of the cloth is removed only for a time." The like occurs in Polynesia. The Tahitians uncover "the body as low as the waist, in the presence of the king," and in the Society Isles generally, "the lower ranks of people, by way of respect, strip off their upper garment in the presence of their" principal chiefs. How this obeisance becomes further abridged, and how it becomes extended to other

persons than rulers, is shown by natives of the Gold Coast.

"They also salute Europeans and sometimes each other by slightly removing their robe from their left shoulder with the right hand, gracefully bowing at the same time. When they wish to be very respectful they uncover the shoulder altogether and support the robe under the arm the whole of the person from the breast upwards being left exposed."

And Barton says that, "throughout Yoruba and the Gold Coast, to bare the shoulders is like unhatting in England."

Evidently uncovering the head, thus suggestively compared with uncovering the upper part of the body, has the same original meaning. Even in certain European usages the relation between the two has been recognized as by Ford who remarks that "uncloaking in Spain is equivalent to our taking off the hat." It is recognized in Africa itself, where as in Dahomey, the two are joined. "the men bared their shoulders, doffing their caps and large umbrella hats," says Barton, speaking of his reception. It is recognized in Polynesia where, as in Tahiti along with the stripping down to the waist before the king, there goes uncovering of the head. Hence it seems that removal of the hat among European peoples, often reduced among ourselves to touching the hat is a remnant of that process of unclothing him self, by which in early times the captive expressed the yielding up of all he had.

into his presence :” the significance of this act being so great that as “ Michoacan was independent of Mexico, the sovereign took the title of *cazonzi*—that is, ‘ shod ’ ” Kindred accounts of Asiatics have made the usage familiar to us In Burmah, “ even in the streets and highways, a European, if he meets with the king, or joins his party, is obliged to take off his shoes ” And in Persia, every one who approaches the royal presence must bare his feet

Verification of these interpretations is yielded by the equally obvious interpretations of certain usages which we similarly meet with in societies where extreme expressions of subjection are required. I refer to the appearing in presence of rulers dressed in coarse clothing—the clothing of slaves In Mexico, whenever Montezuma’s attendants “ entered his apartments, they had first to take off their rich costumes and put on meaner garments ” In Peru, along with the rule that a subject should appear before the Ynca with a burden on his back, simulating servitude, and along with the rule that he should be barefooted, further simulating servitude, there went, as we have seen, the rule that “ no lord, however great he might be, entered the presence of the Ynca in rich clothing, but in humble attire,” again simulating servitude A kindred though less extreme usage exists in Dahomey the highest subjects may “ ride on horseback, be carried in hammocks, wear silk, maintain a numerous retinue, with large umbrellas of their own order, flags, trumpets, and other musical instruments, but, on their entrance at the royal gate, all these insignia are laid aside ” Even in mediæval Europe, submission was expressed by taking off those parts of the dress and appendages which were inconsistent with the appearance of servitude Thus, in France, in 1467, the head men of a town, surrendering to a victorious duke, “ brought to his camp with them three hundred of the best citizens in their shirts, bareheaded, and barelegged, who presented the keys of the citie to him, and yielded themselves to his mercy ” And the doing of

feudal homage included observances of kindred meaning Saint Simon, describing one of the latest instances, and naming among ceremonies gone through the giving up of belt, sword, gloves, and hat, says that this was done "to strip the vassal of his marks of dignity in the presence of his lord" So that whether it be the putting on of coarse clothing or the putting off of fine clothing the meaning is the same

Observances of this kind, like those of other kinds, extend themselves from the feared being who is visible to the feared being who is invisible—the ghost and the god On remembering that by the Hebrews, putting on sackcloth and ashes was joined with cutting the hair, self bleeding, and making marks on the body to propitiate the ghost—on reading that the habit continues in the East so that a mourning lady described by Mr Salt, was covered with sackcloth and sprinkled with ashes and so that Burchhardt saw the funeral relations of a deceased chief running through all the principal streets their bodies half naked and the little clothing they had on being ragged, while the head face and breast were "almost entirely covered with ashes" it becomes clear that the semi-nakedness, the torn garments and the coarse garment expressing submission to a living superior serve also to express submission to one who dying and becoming a supernatural being has acquired a power that is dreaded * This instance is con-

firmed on observing that like acts become acts of religious subordination. Isaiah, himself setting the example, exhorts the rebellious Israelites to make their peace with Jahveh in the words—"Strip you, and make you bare, and gird sackcloth upon your loins." So, too, the fourscore men who came from Shechem, Shiloh, and Samaria, to propitiate Jahveh, besides cutting their hair and gashing themselves, tore their clothes.

Not does the parallelism fail with baring the feet. This was a sign of mourning among the Hebrews, as is shown by the command in Ezekiel (xxiv 17), "Forbear to cry, make no mourning for the dead, bind the tunc of thine head upon thee, and put on thy shoes upon thy feet." And then, among the Hebrews, putting off the shoes was also an act of worship. Elsewhere, too, it occurred as in common a mark of political subordination and of religious subordination. Of the Peruvians, who went barefoot into the presence of the Ynca, we read that "all took off their shoes, except the king, at two hundred paces before reaching the doors [of the temple of the Sun], but the king remained with his shoes on until he came to the doors."

Once more, the like holds with baring the head. Used along with other ceremonial acts to propitiate the living superior, this is used also to propitiate the spirit of the ordinary dead, and the spirit of the apotheosized dead. Uncovering round the grave continues even among

inadequate clothing remains for use. Hence comes "the chief mourner being clad in moss" among the Santee Indians (p 38). The more obvious and still-continuing motive is that grief is inconsistent with wearing the best, which is usually the gayest, clothing. Thus we read that among the Choctaws the "widow wholly neglects her toilet," and that among the Chippewas she is "not permitted to wear any finery" for twelve moons (Yarrow, pp 92-3). In a letter of a deceased relative of mine, dated 1810, I find an instructive example of the way in which natural feeling prompts this putting on of inferior clothes. Speaking of a conversation held with a pedler concerning an eccentric but benevolent man, the writer describes the pedler as praising him and saying, "he thought he should put on his worst clothes when he died." That is, not being able to afford mourning, he proposed to revert to this primitive method of showing sorrow, not knowing it to be primitive.

selves, and on the Continent, there is uncovering by all who meet a funeral procession. Taking off the hat to images of Christ and the Madonna out of doors and indoors, enjoined in old books of manners. Unhatting on the knees when the host is carried by, occurs still in Catholic countries. And habitually men bare their heads on entering places of worship.

For must we omit to note that obeisances of this class are made first to supreme persons and presently to less powerful persons, diffuse gradually until they become general. Quotations above given have shown incidentally, in Africa partial uncovering of the shoulder is a salute between equals and that a kindred removal of the cloak in Spain serves a like purpose. Similarly the going on foot into a king's presence and into a temple, originates ordinary civility. The Damars take off their sandals on entering a stranger's house, a Japanese leaves his shoes at the door even when he enters a shop; 'upon entering a Turkish house it is the invariable rule to leave the outer slipper or galosh at the foot of the stairs.' And even in Europe, from having been a ceremony of feudal homage and of religious worship uncovering the head has become an expression of respect due even to a labourer on visiting his cottage.

birth took place in the 'Toorkce camp . . . women assembled to rejoice at the door of the mother, by clapping their hands, dancing, and shouting Their dance consisted in jumping in the air, throwing out their legs in the most uncouth manner, and flapping their sides with their elbows " Where circumstances permit, such emphatic marks of consideration become mutual On the Slave Coast, " when two persons of equal condition meet each other, they fall both down on their knees together, clap hands, and mutually salute, by wishing each other a good day." In China, during a wedding visit " each visitor prostrated himself at the feet of the bride, and knocked his head upon the ground, saying at the same time, 'I congratulate you! I congratulate you!' whilst the bride, also upon her knees, and knocking her head upon the ground, replied, 'I thank you! I thank you!'" And among the Mosquitos, says Bancroft, " one will throw himself at the feet of another, who helps him up, embraces him, and falls down in his turn to be assisted up and comforted with a pressure " Such extreme instances yield verifications of the inference that the mutual bows, and curtsies, and unhattings, among ourselves, are remnants of the original prostrations and strippings of the captive

But I give these instances chiefly as introducing the interpretation of a still more familiar observance Already I have named the fact that between polite Arabs the offer of an inferior to kiss a superior's hand, is resisted by the superior if he is condescending, and that the conflict ends by the inferior kissing his own hand to the superior Further evidence is given by Malcolm, who says — " Everyone [Arab] who met a friend took his right hand, and, after shaking it, raised it as high as his breast " And the following, from Niebuhr, is an account of an allied usage —

" Two Arabs of the desert meeting, shake hands more than ten times Each kisses his own hand, and still repeats the question, 'How art thou?' . . . In Yemen, each does as if he wished the

other's hand, and draws back his own to avoid receiving the same honour. At length, to end the contest, the eldest of the two suffers the other to kiss his fingers."

Have we not here then, the origin of shaking hands? If of two persons each wishes to make an obeisance to the other by kissing his hand and each out of compliment refuses to have his own hand kissed, what will happen? Just as when leaving a room, each of two persons, proposing to give the other precedence, will refuse to go first, and there will result at the doorway some conflict of movements preventing either from advancing so, if each of two tries to kiss the other's hand, and refuses to have his own kissed there will result a raising of the hand of each by the other towards his own lips, and by the other a drawing of it down again, and so on alternately. Though at first such an action will be irregular, yet as fast as the usage spreads, and the failure of either to kiss the other's hand becomes a recognized issue the motions may be expected to grow regular and rhythmical. Clearly the difference between the simple squeeze to which this salute is now often abridged, and the old fashioned hearty shake, exceeds the difference between the hearty shake and the movement that would result from the effort of each to kiss the hand of the other.

Even in the absence of this clue yielded by the Arab custom we should be obliged to infer some such genesis. After all that has been shown no one can suppose that hand shaking was ever deliberately fixed upon as a complimentary obsequence and if it had a natural origin in some act which like the rest expressed a subject in the act of kissing the hand must be assumed as a necessary part of the action.

important part, marks him as a subject person, the conquered enemy lies prone before him, now on his back, or now with neck under his conqueror's foot, smeared with dirt, weaponless, and with torn clothes or stripped of the trophy-trimmed robe he prized. Thus the prostration, the coating of dust, and the loss of covering, incidental on defeat, become, like the mutilation, recognized proofs of it. Whence result, first of all, the enforced signs of submission of slaves to masters and subjects to rulers, then the voluntary assumptions of humble attitudes before superiors, and, finally, those complimentary movements expressive of inferiority, made by each to the other between equals.

That all obeisances originate in militancy, is a conclusion harmonizing with the fact that they develop along with development of the militant type of society. Attitudes and motions signifying subjection, do not characterize headless tribes and tribes having unsettled chieftainships, like the Fuegians, the Andamanese, the Australians, the Tasmanians, the Esquimaux, and accounts of etiquette among the wandering and almost unorganized communities of North America, make little, if any, mention of actions expressing subordination. It is remarked of the Kamtschadales, who when found were without rulers, that "their manners are quite rude they never use any civil expression or salutation, never take off their caps, nor bow to one another." On the other hand, in societies compounded and consolidated by militancy which have acquired the militant type of structure, political and social life are characterized by grovelling prostrations. We find them in warlike, cannibal Fiji, where the power of rulers over subjects is unlimited, we find them in Uganda, where war is chronic, where the revenue is derived from plunder, and where it is said of the king out shooting that, "as his highness could not get any game to shoot at, he shot down many people," we find them in sanguinary Dahomey, where adjacent societies are attacked to get more heads for decorating the king's palace. Among

states more advanced they occur in Burmah and Siam where the militant type, bequeathed from the past, has left a monarchical power without restraint, in Japan, where there has been a despotism evolved and fixed during the wars of early times, and in China, where a kindred form of government similarly originated survives. The like happens with kissing the feet as an obeisance. This was the usage in ancient Peru where the entire nation was under a regimental organization and discipline. It prevails in Madagascar, where the militant structure and activity are decided. And among sundry Eastern peoples, living still, as they have ever done, under autocratic rule, this obeisance exists at present as it existed in the remote past. Nor is it otherwise with complete or partial removals of the dress. The extreme forms of this we saw occur in Egypt and in Uganda, while the less extreme form of baring the body down to the waist was exemplified from Abyssinia and Tihiti, where the kingly power though great, is less recklessly exercised. So, too with baring the feet. This was an obeisance to the king in ancient Peru and ancient Mexico as it is now in Burmah and in Persia—all of them having the despotic government evolved by militancy. And the like relation holds with the other servile obeisances—the putting dust on the head the assumption of mean clothing the taking up a burden to carry the binding of the hands.

kindred differences are traceable. On the Continent obeisances are fuller, and more studiously attended to, than they are here. Even from within our own society evidence is forthcoming, for by the upper classes, forming that regulative part of the social structure which here, as everywhere, has been developed by militancy, there is not only at Court, but in private intercourse, greater attention paid to these forms than by the classes forming the industrial structures. And I may add the significant fact that, in the distinctively militant parts of our society—the army and navy—not only is there a more strict performance of prescribed obeisances than in any other of its parts, but, further, that in one of them, specially characterized by the absolutism of its chief officers, there survives a usage analogous to usages in barbarous societies. In Burmah, it is requisite to make “prostrations in advancing to the palace,” the Dahomans prostrate themselves in front of the palace gate, in Fiji, stooping is enjoined as “a mark of respect to a chief or his premises, or a chief’s settlement,” and on going on board a British man-of-war, it is the custom to take off the hat to the quarter-deck.

Nor are we without kindred contrasts among the obeisances made to the supernatural being, whether spirit or deity. The wearing sackcloth to propitiate the ghost, as now in China and as of old among the Hebrews, the partial baring of the body and putting dust on the head, still occurring in the East as funeral rites, are not found in advanced societies having types of structure more profoundly modified by industrialism. Among ourselves, most characterized by the extent of this change, obeisances to the dead have wholly disappeared, save in the uncovering at the grave. Similarly with the obeisances used in worship. The baring of the feet when approaching a temple, as in ancient Peru, and the removal of the shoes on entering it, as in the East, are acts finding no parallels here on any occasion, or on the Continent, save on occasion

of penance. Neither the prostrations and repeated knockings of the head upon the ground by the Chinese worshipper, nor the kindred attitude of the Mahomedan at prayers, occurs where freer forms of social institutions, proper to the industrial type, have much qualified the militant type. Even going on the knees as a form of religious homage has, among ourselves, fallen greatly into disuse, and the most unmilitant of our sects, the Quakers, make no religious obeisances whatever.

The connexions thus traced, parallel to connexions already traced, are at once seen to be natural on remembering that militant activities, intrinsically coercive, necessitate command and obedience, and that therefore where they predominate signs of submission are insisted upon. Conversely, in industrial activities whether exemplified in the relations of employer and employed or of buyer and seller being carried on under agreement are intrinsically non coercive, and therefore where they predominate, only fulfilment of contract is insisted upon whence results decreasing use of the signs of submission.

CHAPTER VII.

FORMS OF ADDRESS

§ 392. What an obeisance implies by acts, a form of address says in words. If the two have a common root this is to be anticipated, and that they have a common root is demonstrable. Instances occur in which the one is recognized as equivalent to the other. Speaking of Poles and Slavonic Silesians, Captain Spencer remarks—

“Perhaps no distinctive trait of manners more characterizes both than their humiliating mode of acknowledging a kindness, their expression of gratitude being the servile “Upadam do nog” (I fall at your feet), which is no figure of speech, for they will literally throw themselves down and kiss your feet for the trifling donation of a few halfpence ”

Here, then, the attitude of the conquered man beneath the conqueror is either actually assumed or verbally assumed and when used, the oral representation is a substitute for the realization in act. Other cases show us words and deeds similarly associated, as when a Turkish courtier, accustomed to make humble obeisances, addresses the Sultan—“Centre of the Universe! Your slave’s head is at your feet,” or as when a Siamese, whose servile prostrations occur daily, says to his superior—“Lord Benefactor, at whose feet I am,” to a prince—“I, the sole of your foot,” to the king—“I, a dust-grain of your sacred feet ” Early European manners furnish kindred evidence. In Russia down to the seventeenth century, a petition began with the words—

'So and so strikes his forehead' [on the ground], and petitioners were called "forehead-strikers." At the Court of France as late as 1577, it was the custom of some to say—"I kiss your grace's hands," and of others to say—"I kiss your lordship's feet." Even now of Spain, where orientalisms linger, we read—'When you get up to take leave, if of a lady you should say, 'My lady, I place myself at your feet,' to which she will reply, 'I kiss your hand, sir'."

From what has gone before, such origins and such characters of forms of address might be anticipated. Along with other ways of propitiating the victor, the master, the ruler will naturally come speeches which, beginning with confessions of defeat by verbal assumptions of its attitude will develop into varied phrases acknowledging servitude. The implication, therefore is that forms of address in general descending as they do from these originals will express clearly or vaguely, ownership by, or subjection to, the person addressed.

Around Delhi, if you ask an inferior “‘Whose horse is that?’ he says ‘Slave’s,’ meaning his own, or he may say—‘It is your highnesses’, meaning that, being his, it is at your disposal” In the Sandwich Islands a chief, asked respecting the ownership of a house or canoe possessed by him, replies—“It is yours and mine.” In France, in the fifteenth century, a complimentary speech made by an abbé on his knees to the queen when visiting a monastery was—“We resign and offer up the abbey with all that is in it, our bodies, as our goods” And at the present time in Spain, where politeness requires that anything admired by a visitor shall be offered to him, “the correct place of dating [a letter] from should be . from this *your* house, wherever it is, you must not say from this *my* house, as you mean to place it at the disposition of your correspondent”

But these modes of addressing a real or fictitious superior, indirectly asserting subjection to him in body and effects, are secondary in importance to the direct assertions of slavery and servitude, which, beginning in barbarous days, have persisted down to the present time

§ 394 Hebrew narratives have familiarized us with the word “servant,” as applied to himself by a subject or inferior, when speaking to a ruler or superior In our days of freedom, the associations established by daily habit have obscured the fact that “servant” as used in translations of old records, means “slave”—implies the condition fallen into by a captive taken in war Consequently when, as often in the Bible, the phrases “thy servant” or “thy servants” are uttered before a king, they must be taken to signify that same state of subjugation which is more circuitously signified by the phrases quoted in the last section Clearly this self-abasing word was employed, not by attendants only, but by conquered peoples, and by subjects at large, as we see when the unknown David, addressing Saul, describes both himself and his father as

Saul's servants And kindred uses of the word to rulers have continued down to modern times

Very early, however, professions of servitude, originally made only to one of supreme authority came to be made to those of subordinate authority Brought before Joseph in Egypt, and fearing him, his brethren call themselves his servants or slaves, and not only so, but speak of their father as standing in a like relation to him Moreover, there is evidence that this form of address extended to the intercourse between equals where a favour was to be gained, as witness Judges xix. 10 And we have seen in the last section that even still in India, a man shows his politeness by calling himself the slave of the person addressed Now in Europe a like diffusion has taken place need not be shown further than by exemplifying some of the stages Among French courtiers in the sixteenth century it was common to say—"I am your servant and the perpetual slave of your house " and among ourselves in past times there were used such indirect expressions of servitude as—"Yours to command," "Ever at your worship's disposing" "In all serviceable humbleness " &c While in our days, rarely made orally save in irony, such forms have left only their written representatives—"Your obedient servant" Your humble servant reserved for occasions when distance is to be maintained and for the

as used in worship, the expression "thy servant" has originated as have all other elements of religious ceremonial

And here better than elsewhere, may be noted the fact that the phrase "thy son," used to a ruler or superior, or other person, is originally equivalent to "thy servant" On remembering that in inde societies children exist only on sufferance of their parents, and that in patriarchal groups the father had life and death power over his children, we see that professing to be another's son was like professing to be his servant or slave There are ancient examples demonstrating the equivalence, as when "Ahaz sent messengers to Tiglath-pileser king of Assyria, saying, I am thy servant and thy son come up and save me" Mediæval Europe furnished instances when, as we saw, rulers offered themselves for adoption by more powerful rulers so assuming the condition of filial servitude and calling themselves sons, as did Theodebert I and Childebert II to the emperors Justinian and Maurice Nor does there lack evidence that this expression of subordination spreads like the rest, until it becomes a complimentary form of speech. At the present time in India, the man who in compliment professes to be your slave, will, on introducing his son say,—“This is your highness's son” And “a Samoan cannot use more persuasive language than to call himself the son of the person addressed.”

§ 395. From those complimentary phrases which express abasement of self, we pass to those which exalt another Either kind taken alone, is a confession of relative inferiority, and this confession gains in emphasis when the two kinds are joined, as they commonly are

At first it does not seem likely that eulogies may, like other propitiations, be traced back to the behaviour of the conquered to the conqueror, but we have proof that they do thus originate, certainly in some cases To the victorious Ramses II. his defeated foes preface their prayers for

mercy by the laudatory words—"Prince guarding thy army, valiant with the sword, bulwark of his troops in day of battle, king mighty of strength, great Sovran, Son powerful in truth, approved of Ra, mighty in victories Ramises Miamon." Obviously there is no separation between such praises uttered by the vanquished, and those afterwards coming from them as a subject people. We pass without break to glorifying words like those addressed to the king of Siam—"Mighty and august lord! Divine Mercy!" "The Divine Order!" "The Master of Life!"

Sovereign of the Earth!" or those addressed to the Sultan—"The Shadow of God!" "Glory of the Universe!" or those addressed to the Chinese Emperor—"Son of Heaven!"

The Lord of Ten Thousand Years!" or those some years since addressed by the Bulgarians to the emperor of Russia—"O blessed Czar!" "Blissful Czar!" "Orthodox powerful Czar!" or those with which, in the past, speeches to the French monarch commenced—"O very benign! O very great! O very merciful!" And then along with these proflations by direct flattery, there go others in which the

“the honourable-minded,” used to gentlemen; and even to men addressed as Mr, such laudatory prefixes as “the worthy and worshipful” Along with flattering epithets there spread more involved flatteries, especially observable in the East, where both are extreme On a Chinese invitation-card the usual compliment is—“To what an elevation of splendour will your presence assist us to rise!” Tavernier, from whom I have quoted the above example of scarcely credible flattery from the Court of Delhi, adds, “this vice passeth even unto the people,” and he says that his military attendant, compared to the greatest of conquerors, was described as making the world tremble when he mounted his horse In these parts of India at the present day, an ordinary official is addressed—“My lord, there are only two who can do anything for me God is the first, and you are the second,” or sometimes, as a correspondent writes to me—“‘Above is God, and your honour is below,’ ‘Your honour has power to do anything,’ ‘You are our king and lord,’ ‘You are in God’s place’”

On reading that in Tavernier’s time a usual expression in Persia was—“Let the king’s will be done,” recalling the parallel expression—“Let God’s will be done,” we are reminded that various of the glorifying speeches made to kings parallel those made to deities Where the militant type is highly developed, and where divinity is ascribed to the monarch, not only after death but before, as of old in Egypt and Peru, and as now in Japan, China, and Siam, it naturally results that the eulogies of visible rulers and of rulers who have become invisible, are the same Having reached the extreme of hyperbole to the king when living, they cannot go further to the king when dead and deified And the identity thus initiated continues through subsequent stages with deities whose origins are no longer traceable

§ 396 Into the complete obeisance we saw that there enter two elements, one implying submission and the other

implying love and into the complete form guarding any analogous elements enter. With words and troops in day pitiate by abusing self or elevating the person. Sovran, Sun both, are joined words suggestive of attachment in victories wishes for his life, health and happiness. Separation be-

Professions of interest in another's well being, and good fortune are, indeed, of earlier origin than professions of subjection. Just as those huggings and kissings which indicate liking are used as complimentary observances by ungoverned, or little governed, savages, who have no observances so, friendly speeches precede speeches expressing subordination. By the Snake Indians a stranger is accosted with the words—"I am much pleased, I am much rejoiced" and among the Araucanians, whose social organization though more advanced has not yet been developed by militancy into the coercive type the formality on meeting which "occupies ten or fifteen minutes," consists of detailed inquiries about the welfare of each and his belongings, with elaborate felicitations and condolences.

Of course this element of the salutation persists while there grow up the acts and phrases expressing subjection. We saw that along with servile observances good wishes and congratulations are addressed to a superior among Negro

his reverence even to the earth " In Western societies, less despotically governed, professions of liking and solicitude have been less exaggerated, and they have decreased as freedom has increased In ancient France, at the royal table, "every time the herald cried—"The king drinks!" every one made *vœux* and cried—"Long live the king!" And though both abroad and at home the same or an allied speech is still used, it recurs with nothing like the same frequency So, too, is it with the good wishes expressed in social intercourse The exclamation—"Long life to your honour!" may, indeed, still be heard, but it is heard among a people who, till late times under personal rule, are even now greatly controlled by their loyalty to representatives of old families And in parts of the kingdom longer emancipated from feudalism and disciplined by industrialism, the ordinary expressions of interest, abridged to "How do you do?" and "Good-bye," are uttered in a manner implying not much more interest than is felt

Along with phrases in which divine aid is invoked on 'behalf' of the person saluted, as in the "May God grant you his favours" of the Arab, "God keep you well" of the Hungarian, "God protect you" of the Negro, and along with those which express sympathy by inquiries after health and fortune, which are also widespread, there are some which take their characters from surrounding conditions One is the oriental "Peace be with you," descending from turbulent times when peace was the great *desideratum*; another is the "How do you perspire?" alleged of the Egyptians, and a still more curious one is "How have the mosquitoes used you?" which, according to Humboldt, is the morning salute on the Orinoco.

§ 397 There remain to be noted those modifications of language, grammatical and other, which, by implication, exalt the person addressed or abase the person addressing These have certain analogies with other elements of ceremony. We have seen that where subjection is extreme,

We come next to those perversions in the uses of pronouns which raise the superior and lower the inferior " 'I' and 'me' are expressed by several terms in Siamese as (1) between a master and slave, (2) between a slave and master (3) between a commoner and a nobleman (4) between persons of equal rank while there is, lastly, a form of address which is only used by the priests " Still more developed has this system been by the Japanese

In Japan all classes have an 'I' peculiar to themselves, which no other class may use and there is one exclusively appropriated by the Mikado and one confined to women There are eight pronouns of the second person peculiar to servants pupil and children " Though throughout the West, the distinctions established by abusing pronominal forms have been less elaborated yet they have been well marked By Germans in old times all

once served to exalt the person addressed, will be aided by contemplating this perversion of speech in its primitive and more emphatic shape, as in Samoa, where they say to a chief —“Have *you two* come?” or “Are *you two* going?”

§ 398 Since they state in words what obeisances express by acts, forms of address of course have the same general relations to social types. The parallelisms must be noted.

Speaking of the Dacotahs, who are politically unorganized, and who had not even nominal chiefs till the whites began to make distinctions among them, Burton says—“Ceremony and manners in our sense of the word they have none,” and he instances the entrance of a Dacotah into a stranger’s house with a mere exclamation meaning “Well.” Bailey remarks of the Veddahs that in addressing others, “they use none of the honorifics so profusely common in Singhalese, the pronoun ‘*to*,’ ‘*thou*,’ being alone used, whether they are addressing each other or those whose position would entitle them to outward respect.” These cases will sufficiently indicate the general fact that where there is no subordination, speeches which elevate the person spoken to and abase the person speaking, do not arise. Conversely, where personal government is absolute, verbal self-humiliations and verbal exaltations of others assume exaggerated forms. Among the Siamese, who are all slaves of the king, an inferior calls himself dust under the feet of a superior, while ascribing to the superior transcendent powers, and the forms of address, even between equals, avoid naming the person addressed. In China, where there is no check on the power of the “Imperial Supreme,” the phrases of adulation and humility, first used in intercourse with rulers and afterwards spreading, have elaborated to such extremes that in inquiring another’s name the form is—“May I presume to ask what is your noble surname and your eminent name,” while the reply is —“The name of my cold (or poor) family is —, and my

ignoble name is —" If we ask where ceremony has initiated the most elaborate misuses of pronouns, we find them in Japan, where wars long ago established a despotism which acquired divine prestige.

Similarly on contrasting the Europe of past times characterized by social structures developed by, and fitted for perpetual fighting with modern Europe, in which though fighting on a large scale occurs, it is the temporary rather than the permanent form of social activity, we observe that complimentary expressions, now less used, are also now less exaggerated. Nor does the generalization fail when we compare the modern European societies that are organized in high degrees for war, like those of the Continent with our own society, not so well organized for war; or when we compare the regulative parts of our own society which are developed by militancy with the industrial parts. Flattering superlatives and expressions of devotion are less profuse here than abroad, and much as the use of complimentary language has diminished among our ruling classes in recent times, there remains a greater use of it among them than among the industrial classes especially those of the industrial classes who have no direct

CHAPTER VIII.

TITLES

§ 399 Adhering tenaciously to all his elders taught him, the primitive man deviates into novelty only through unintended modifications. Everyone now knows that languages are not devised but evolve, and the same is true of usages. To many proofs of this, the foregoing chapters have added further proofs.

The like holds of titles. Looked at as now existing, these appear artificial. There is suggested the idea that once upon a time they were consciously settled. But this is no more true than it is true that our common words were once consciously settled. Names of objects and qualities and acts, were at the outset directly or indirectly descriptive, and the names we class as titles were so too. Just as the deaf-mute who calls to mind a person he means by mimicking a peculiarity, has no idea of introducing a symbol, so neither has the savage when he indicates a place as the one where the kangaroo was killed or the one where the cliff fell down, so neither has he when he suggests an individual by referring to some marked trait in his appearance or fact in his life, and so neither has he when he gives those names, literally descriptive or metaphorically descriptive, which now and again develop into titles.

The very conception of a proper name grew up unawares. Among the uncivilized a child becomes known as "Thunder-

the like has happened. The king of Ashantee has among his glorifying names "Lion" and "Snake." In Dahomey, titles thus derived are made superlative: the king is "the Lion of Lions." And in a kindred spirit the king of Usambara is called "Lion of Heaven," a title whence, should this king undergo apotheosis, myths may naturally result. From Zulu land, along with evidence of the same thing there comes an illustration of the way in which names of honour derived from imposing objects, animate and inanimate are joined with names of honour otherwise derived, and pass into certain of those forms of address lately dealt with. The titles of the king are—"The noble elephant," "Thou who art for ever," "Thou who art as high as the heavens," "The black one," "Thou who art the bird who eats other birds," "Thou who art as high as the mountains," &c. Shooter shows how these Zulu titles are used by quoting part of a speech addressed to the king—

"On mountain, you lion, you tiger, you that are black. There is none equal to you." Further, there is proof that names of honour thus originating pass into titles applied to the position occupied, rather than to the occupant considered personally. For a husband's wife is called the "Elephantess."

the same. We have seen how, among the Zulus, the hyperbolic compliment to the king—"Thou who art as high as the mountains," passes from the form of simile into the form of metaphor when he is addressed as "you Mountain." And that the metaphorical name thus used sometimes becomes a proper name, proof comes from Samoa, where, as we saw, "the chief of Pango-Pango" is "now Maunga, or Mountain." There is evidence that by sundry ancestor-worshipping peoples, divine titles are similarly derived. The Chinooks and Navajos and Mexicans in North America, and the Peruvians in South America, regard certain mountains as gods, and since these gods have other names, the implication is that in each case an apotheosized man had received in honour either the general name Mountain, or the name of a particular mountain, as has happened in New Zealand. From complimentary comparisons to the Sun, result not only personal names of honour and divine names, but also official titles. On reading that the Mexicans distinguished Cortes as "the offspring of the Sun," and that the Chibchas called the Spaniards in general "children of the Sun,"—on reading that "child of the Sun" was a complimentary name given to any one particularly clever in Peru, where the Yncas, regarded as descendants of the Sun, successively enjoyed a title hence derived, we are enabled to understand how "Son of the Sun" came to be a title borne by the successive Egyptian kings, joined with proper names individually distinctive of them. In elucidation of this as well as of sundry other points, let me add an account of a reception at the court of Burmah which has occurred since the foregoing sentences were first published —

"A herald lying on his stomach read aloud my credentials. The literal translation is as follows: 'So-and-So, a great newspaper teacher of the *Daily News* of London, tenders to his Most Glorious Excellent Majesty, Lord of the Ishaddan, King of Elephants, master of many white elephants, lord of the mines of gold, silver, rubies, amber, and the noble serpentine, Sovereign of the Empires of Thuna-paranta and Tampadipa, and other great empires and countries, and of all the umbrellawearing chiefs, the supporter of religion, the Sun-

descended Monarch, arbiter of life and great, righteous King King of Kings and possessor of boundless dominions and supreme wisdom the following presents. The reading was intoned in a comical high recitative, strongly resembling that used when our Church service is intoned and the long-drawn *Phya-a-a-a* (my lord) which concluded it, added to the resemblance, as it came in exactly like the "Amen of the Liturgy" [Showing the kinship to religious worship]

Given then the metaphorically-descriptive name, and we have the germ from which grow up these primitive titles of honour which at first individual titles, become in some cases titles attaching to the offices filled

§ 402 To say that the words which in various languages answer to our word 'God' were originally descriptive words, will be startling to those who unfamiliar with the facts credit the savage with thoughts like our own and will be repugnant to those who, knowing something of the facts, yet persist in asserting that the conception of a universal creative power was possessed by man from the beginning. But whoever studies the evidence without bias will find proof that the general word for deity was at first simply a word expressive of superiority. Among the Fijians the name is applied to anything great or marvellous among the Malagasy to whatever is new, useful or extraordinary among the Todas to everything mysterious so that, as Marshall says 'it is truly an adjective noun of eminence'. Applied alike to animate and inanimate things as indicating some quality above the common, the word is in this sense applied to human beings both living and dead but as the dead are supposed to have mysterious powers of doing good and evil to the living the word comes to be especially applicable to them. Though ghost and god have with us widely-distinguished meanings yet they are originally equivalent words or rather, originally, there is but one word for a supernatural being. And since in early belief the ether self of the dead man is equally visible and tangible with the living man, so that it may be

slain, drowned, or otherwise killed a second time—since the resemblance is such that it is difficult to learn what is the difference between a god and a chief among the Fijians—since the instances of theophany in the *Iliad* prove that the Greek god was in all respects so like a man that special insight was required to discriminate him, we see how naturally it results that the name ‘god,’ given to a powerful being thought of as usually, but not always, invisible, is sometimes given to a visible powerful being. Indeed, as a sequence of this theory, it inevitably happens that men transcending in capacity those around them, are suspected to be these returned ghosts or gods, to whom special powers are ordinarily ascribed. Hence the fact that, considered as the doubles of their own deceased people, Europeans are called ghosts by Australians, New Caledonians, Dainley Islanders, Kioomen, Calabar people, Mpongwe, &c. Hence the fact that they are called by the alternative name gods by Bushmen, Bechuanas, East Africans, Fulahs, Khonds, Fijians, Dyaks, Ancient Mexicans, Chibchas, &c. Hence the fact that, using the word in the above sense, superior men among some uncivilized peoples call themselves gods.

The original meaning of the word being thus understood, we need feel no surprise on finding that “God” becomes a title of honour. The king of Loango is so called by his subjects, as is also the king of Msambara. At the present time among wandering Arabs, the name “God” is applied in no other sense than as the generic name of the most powerful living ruler known to them. This makes more credible than it might else be, the statement that the Grand Lama, personally worshipped by the Tartars, is called by them “God, the Father.” It is in harmony with such other facts as that Radama, king of Madagascar, is addressed by the women who sing his praises as—“O our God,” and that to the Dahoman king the alternative word “Spirit” is used, so that, when he summons any one, the messenger says—“The Spirit requires you,” and when he has spoken,

all exclaim—"The Spirit speaketh true" All which facts make comprehensible that assumption of Θεός as a title by ancient kings in the East which is to moderns so astonishing

Descent of this name of honour into ordinary intercourse, though not common does sometimes occur After what has been said it will not appear strange that it should be applied to deceased persons, as it was by the ancient Mexicans, who "called any of their dead *teotl* so and so—i.e., this or that god this or that saint." And prepared by such an instance we shall understand its occasional use as a greeting between the living Colonel Ynlo says of the Kasias, the salutation at meeting is singular—"Kublé! oh God!"

§ 403 The connexion between "God" as a title and 'Father' as a title, becomes clear on going back to those early forms of conception and language in which the two are undifferentiated The fact that even in so advanced a language as Sanscrit, words which mean 'making' 'fabricating,' 'begetting' or 'generating' are indiscriminately used for the same purpose suggests how naturally in the primitive mind a father, as begetter or causer of new beings ceasing at death to be visible is then associated in word and thought with dead and invisible causers at large, who, some of them acquiring pre-eminence come to be regarded as causers in general—makers or creators. When Sir Rutherford Alcock remarks that "a spurious mixture of the theocratic and patriarchal elements form the bases of all government, both in the Celestial and the Japanese Empires under emperors who claim not only to be each the patriarch and father of his people but also Divine descent; he adds another to the misinterpretations produced by descending from our own higher conceptions, instead of ascending from the lower conceptions of the primitive man for what he thinks a 'spurious mixture' of ideas is in fact, a normal union of ideas; which, in the cases named,

has persisted longer than commonly happens in developed societies

The Zulus show us this union very clearly. They have traditions of Unkulunkulu (literally, the old, old one), "who was the first man," "who came into being and begat men," "who gave origin to men and everything besides" (including the sun, moon, and heavens), and who is inferred to have been a black man because all his descendants are black. The original Unkulunkulu is not worshipped by them, because he is supposed to be permanently dead, but instead of him the Unkulunkulus of the various tribes into which his descendants have divided, are severally worshipped, and severally called "Father." Here, then, the ideas of a Creator and a Father are directly connected. Equally specific, or even more specific, are the ideas conveyed in the response which the ancient Nicaraguans gave to the question—"Who made heaven and earth?" After their first answers, "Tamagastad and Cipattoval," "our great gods whom we call *teotes*," cross-examination brought out the further answers—"Our fathers are these *teotes*," "all men and women descend from them," "they are of flesh and are man and woman," "they walked over the earth dressed, and ate what the Indians ate." Gods and first parents being thus identified, fatherhood and divinity become allied ideas. The remotest ancestor supposed to be still existing in the other world to which he went, "the old, old one," or "ancient of days," becomes the chief deity, and so "father" is not, as we suppose, a metaphorical equivalent for "god," but a literal equivalent.

Therefore it happens that among all nations we find it an alternative title. In the before-quoted prayer of the New Caledonian to the ghost of his ancestor—"Compassionate father, here is some food for you, eat it, be kind to us on account of it"—we are shown that original identification of fatherhood and godhood, to which all mythologies and theologies carry us back. We see the naturalness of the

to those who, apart from their rank, have acquired the superiority ascribed to age a superiority sometimes taking precedence of rank as in Siam and in certain ways in Japan and China. Such extension occurred in ancient Rome, where *pater* was at once a magisterial title and a title given by the younger to the elder whether related or not. In Russia at the present time, the equivalent word is used to the Czar, to a priest, and to an aged man. Eventually it spreads to young as well as old. Under the form *sire* at first applied to feudal rulers major and minor the title 'father' originated our familiar *sir*.

A curious group of derivatives common among uncivilized and semi-civilized peoples, must be named. The wish to compliment by ascribing that dignity which fatherhood implies, has in many places led to the practice of replacing a man's proper name by a name which, while it recalls this honourable paternity distinguishes him by the name of his child. The Malays have "the same custom as the Dyaks of taking the name of their first born, as Pa Sipi, the father of Sipi." The usage is common in Sumatra, and equally prevails in Madagascar. It is so too among some Indian Hill tribes the Kasias "address each other by the names of their children, as Pabobon, father of Bobon!" Africa also furnishes instances. Bechuanas addressing Mr Moffat used to say—"I speak to the Father of Mary." And in the Pacific States of North America there are people so solicitous to bear this primitive name of honour that until a young man has children his dog stands to him in the position of a son and he is known as the father of his dog.

§ 401 The supremacy associated with age in patriarchal groups and in societies derived by composition from patriarchal groups shown primarily in that honouring of parents which as in the Jewish commandments is put next to the worship of God and secondarily in the honouring of old men in general, gives rise to a kindred but divergent group

of titles Age being dignified, words indicating seniority become names of dignity

The beginnings may be discerned among the uncivilized Counsels being formed of the older men, the local name for an older man becomes associated in thought with an office of power and therefore of honour Merely noting this, it will suffice if we trace in European language the growth of titles hence resulting Among the Romans *senator*, or member of the *senatus*, words having the same root with *senex*, was the name for a member of the assembly of elders, and in early times these senators or elders, otherwise called *patries*, represented the component tribes father and elder being thus used as equivalents From the further cognate word *senior*, we have, in derived languages, *signior*, *seigneur*, *senhor*, first applied to head men, rulers, or lords, and then by diffusion becoming names of honour for those of inferior rank The same thing has happened with *ealdor* or *aldor* Of this Max Muller says,—“like many other titles of rank in the various Teutonic tongues, it is derived from an adjective implying age,” so that “earl” and “alderman,” both originating from this root, are names of honour similarly resulting from that social superiority gained by advanced years

Whether or not the German title *graf* should be added, is a moot point If Max Muller is right in considering the objections of Grimm to the current interpretation inadequate, then the word originally means grey, that is, grey-headed

§ 405 We may deal briefly with the remaining titles, which re-illustrate, in their respective ways, the general principle set forth

Like other names of honour that grew up in early times, the name “king” is one concerning the formation of which there are differences of opinion By general agreement, however, its remote source is the Sanscrit *ganaka*, and “in

Sanskrit *ganaka* means producing parent, then *ling* " If this is the true derivation, we have simply an alternative title for the head of the family group, of the patriarchal group, and of the cluster of patriarchal groups. The only further fact respecting it calling for remark, is the way in which it becomes compounded to produce a higher title. Just as in Hebrew, *Abram* meaning "high father" came to be a compound used to signify the fatherhood and headship of many minor groups and just as the Greek and Latin equivalents to our patriarch, signified by implication, if not directly a father of fathers, so in the case of the title

king, it has happened that a potentate recognized as dominant over numerous potentates, has in many cases been descriptively called 'king of kings' In Abyssinia this compound royal name is used down to the present time, as we lately saw that it is also in Burmah. Ancient Egyptian monarchs assumed it, and it occurred as a supreme title in Assyria. And here again we meet a correspondence between terrestrial and celestial titles. As 'father' and 'king' are applied in common to the visible and to the invisible ruler, so too, is 'king of kings'

This need for marking by some additional name the ruler who becomes head over many rulers, leads to the introduction of other titles of honour. In France for example, while the king was but a predominant feudal noble he was addressed by the title *sire*, which was a title borne by feudal nobles in general but towards the end of the fifteenth century, when his supremacy became settled, the additional word 'majesty' grew into use as specially applicable to him. Similarly with the names of secondary potentates. In the earlier stages of the feudal period, the titles baron, marquis, duke and count, were often confounded the reason being that their attributes as feudal nobles as guards of the marches as military leader and as friends of the king were so far common to them as to yield no clear

grounds for distinction. But along with differentiation of functions went differentiation of these titles

"The name 'baron,'" says Chéruel, "appears to have been the generic term for every kind of great lord, that of duke for every kind of military chief, that of count and marquis for every ruler of a territory. These titles are used almost indiscriminately in the romances of chivalry. When the feudal hierarchy was constituted, the name baron denoted a lord inferior in rank to a count and superior to a simple knight."

That is to say, with the progress of political organization and the establishment of rulers over rulers, certain titles became specialized for the dignifying of the superiors, in addition to those which they had in common with the inferiors.

As is shown by the above cases, special titles, like general titles, are not made but grow—are at first descriptive. Further to exemplify their descriptive origin, and also to exemplify the undifferentiated use of them in early days, let me enumerate the several styles by which, in the Merovingian period, the mayors of the palace were known, viz *major domûs regiae*, *senior domûs*, *princeps domûs*, and in other instances *præpositus*, *præfectus*, *rector*, *gubernator*, *moderator*, *dux*, *custos*, *subieculus*. In which list (noting as we pass how our own title "mayor," said to be derived from the French *maire*, is originally derived from the Latin *major*, meaning either greater or elder) we get proof that other names of honour carry us back to words implying age as their originals, and that in place of such descriptive words, the alternative words used describe functions.

§ 406 Perhaps better in the case of titles than in any other case, is illustrated the diffusion of ceremonial forms that are first used to propitiate the most powerful only.

Uncivilized and semi-civilized peoples, civilized peoples of past times, and existing civilized peoples, all furnish examples. Among Samoans "it is usual, in the courtesies of common conversation, for all to call each other chiefs.

strictly prohibited " And since a practice so inconvenient as that of carrying a superfluous sword, is not likely to have been adopted gratuitously, it may be inferred that the "two-sworded man" as he is called, was originally one who, in addition to his own sword, wore a sword taken from an enemy in which case what is now a badge was once a trophy Even where both swords are not worn it results that as the vanquished man is made swordless, the victor's sword marks him as master in contrast with the swordless as slave Hence then, the fact that in various countries a sword is a symbol of power Hence the fact that of old the investiture of princes was in many cases by the girding on of a sword. Hence the use of a sword as an emblem of judicial authority Implying power and position, the sword is a mark of honour which in common with all others, has tended to spread downwards as till lately in Japan, where swordless men in underhand ways acquired the privilege of wearing swords and as in France where, two centuries ago, punishments for the unauthorized wearing of swords were inflicted

Better than the sword does the spear illustrate this genesis of the badge from the trophy, since, while the sword in becoming a badge retains its original shape, the spear in becoming a badge partially loses the aspect of a weapon In its untransformed state, the spear is used to signify authority by various semi-civilized peoples Among several parties met by Mr Ellis when travelling in Madagascar he noticed that "the chief usually carried a spear or staff, or both" "No person is permitted to carry weapons of any sort in the palace" of Uganda, says Speke "but the king habitually bears a couple of spears a duplication of weapons again suggestive, like the two sword of a trophy In Japan nobles 'are entitled in virtue of their rank to have a spear carried before them when moving about officially' That the javelin was a symbol of authority among the Hebrews, I would infer from 1 Samuel xviii 10 and xvi

12 and 22. And then there is the still more significant fact that a lance or spear, in the time of Pausanias, was worshipped as the sceptre of Zeus. Early European history yields further evidence. "The lance was a sign of kingly power" among the Franks, says Wantz, and when Guntchiam adopted Childebert, his nephew, he placed a spear in his hand, saying, "this is a sign that I have given over my whole kingdom to thee." Add the evidence furnished by the shape of its terminal ornament, and we cannot doubt that the sceptre is simply a modified spear—a spear which, ceasing to be used as a weapon, lost its fitness for destructive purposes while becoming enriched with gold and precious stones. That only by degrees did its character as a weapon disappear, is implied by the fact that the prelate who consecrated Otho in 937, said—"By this sceptre you shall paternally chastise your subjects." And then we may infer that while the spear, borne by the supreme ruler, underwent transformation into the sceptre, the spears borne by subordinates, symbolizing then deputed authority, gradually changed into staves of office, batons of command, and wands.

Other facts from various quarters, support the conclusion that all such marks of official power are derived from the weapons or appendages carried by the militant man. Among the Araucanians "the discriminative badge of the toqui [supreme chief] is a species of battle-axe, made of porphyry or marble." Describing a governor-general of a Uganda province, Speke says—"His badge of office is an iron hatchet, inlaid with copper and handled with ivory." And then mediæval France supplies two instances in which other parts of the warrior's belongings became badges. Plate armour, originally worn by the knight as a defence, was clung to by the nobility after it had ceased to be useful, because it was a mark of distinction, says Quicherat, and spurs, also at first knightly appendages, grew into appendages of honour, and spread through bishops down even to the ordinary clergy.

joining with facts given at the outset of the chapter, certain kindred facts. In Guatemala when commemorating by war dances the victories of earlier times, the Indians were "dressed in the skins and wearing the heads of animals on their own" and among the Chibchas persons of rank "wore helmets, generally made of the skins of fierce animals." If we recall the statement already quoted, that in primitive European times, the warriors' head and shoulders were protected by the hide of a wild animal (the skin of its head sometimes surmounting his head), and if we add the statement of Plutarch that the Cimbri wore helmets representing the heads of wild beasts we may infer that the animal ornaments on metal helmets began as imitations of hunter's trophies. This inference is supported by evidence already cited in part, but is part reserved for the present occasion. The Ashantees who, as we have seen take human jaws as trophies use both actual jaws and golden models of jaws for different decorative purposes adorning their musical instruments, &c., with the realities and carrying on their persons the metallic representations. A parallel derivation occurs among the Malagasy. When we read that by them silver ornaments like crocodiles' teeth are worn on various parts of the body, we can scarcely doubt that the silver teeth are substitutes for actual teeth originally worn as trophies.

We shall the less doubt this derivation on observing in how many parts of the world personal ornaments are made out of these small and durable parts of conquered men and animals—how by Caribs, Tupis, Moxos, Ashantees human teeth are made into armlets, anklets, and necklaces; and how in other cases the teeth of beasts most formidable are used in like ways. The necklaces of the Land Draks contain tiger-cat's teeth, the New Guinea people ornament their neck, arms and waist with hogs' teeth, while the Sandwich Islanders have bracelets of the polished tusks of the hog, with anklets of dogs' teeth. Saint Domingo's wear

"a kind of necklace of white bear's claws, three inches long" Among the Kukis "a common amulet worn by the men consists of two semi-circular boar's tusks tied together so as to form a ring" Enumerating objects hanging from a Dyak's ear, Boyle includes "two boar's tusks, one alligator's tooth" And picturing what her life would be at home, a captive New Zealand girl in her lament says—"the shark's tooth would hang from my ear" Though small objects which are attractive in colour and shape, will naturally be used by the savage for decorative purposes, yet pride in displaying proofs of his prowess, will inevitably make him utilize fit trophies in preference to other things, when he has them The motive which made Mandans have their buffalo-robes "fringed on one side with scalp-locks," which prompts a Naga chief to adorn the collar round his neck with "tufts of the hair of the persons he had killed," and which leads the Hottentots to ornament their heads with the bladders of the wild beasts they have slain, as Kolben tells us, will inevitably tend to transform trophies into decorations wherever it is possible Indeed while I write I find direct proof that this is so Concerning the Snake Indians, Lewis and Clarke say —

"The collar most preferred, because most honourable, is one of the claws of the brown bear To kill one of these animals is as distinguished an achievement as to have put to death an enemy, and in fact with their weapons is a more dangerous trial of courage These claws are suspended on a thong of dressed leather, and being ornamented with beads, are worn round the neck by the warriors with great pride"

And sundry facts unite in suggesting that many of the things used for ornaments were at first substitutes for trophies having some resemblance to them When Tuckey tells us that the natives of the Congo region make their necklaces, bracelets, &c, of iron and brass rings, lion's teeth, beads, shells, seeds of plants, we may suspect that the lion's teeth stand to the beads and shells in much the same relation that diamonds do to paste

general contrast between the controlling part of each society and the controlled part. The facts that those who form the regulative organization, which is originated by militancy, are distinguished from those who form the organization regulated, which is of industrial origin, by the prevalence among them of visible signs of rank and that the militant part of this regulative organization is more than the rest characterized by the conspicuousness, multiplicity and definiteness, of those costumes and badges which distinguish both its numerous divisions and the numerous ranks in each division are facts unmistakably supporting the inference that militancy has generated all these marks of superiority and inferiority.

CHAPTER X

FURTHER CLASS-DISTINCTIONS

§ 416 Foregoing chapters have shown how, from primitive usages of the ceremonial kind, there are derived usages which, in course of time, lose the more obvious traces of their origin. There remain to be pointed out groups of secondarily-derived usages still more divergent.

In battle, it is important to get the force of gravity to fight on your side, and hence the anxiety to seize a position above that of the foe. Conversely, the combatant who is thrown down, cannot further resist without struggling against his own weight, as well as against his antagonist's strength. Hence, being below is so habitually associated with defeat, as to have made maintenance of this relation (literally expressed by the words superior and inferior) a leading element in ceremony at large. The idea of relative elevation as distinguishing the positions of rulers from those of ruled, runs through our language, as when we speak of higher and lower classes, upper and under servants, and call officers of minor rank subordinates or subalterns. Everywhere this idea enters into social observances. That tendency to connect the higher level with honourableness, which among ourselves in old times was shown by reserving the dais for those of rank and leaving the body of the hall for common people, produces in the East, where ceremonial

twenty men bearing large umbrellas and twenty fan-bearers. Elsewhere umbrellas, not monopolized by kings may be used by others but with differences, as in Java where custom prescribes six colours for the umbrellas of six ranks.

Evidently the shade yielding umbrella is closely allied to the shade-yielding canopy, the use of which also is a class distinction. Ancient America furnished a good instance. In Utlatlan the king sat under four canopies, the elect under three the chief captain under two, and the second captain under one. And here we are reminded that this developed form of the umbrella, having four supports is alike in the East and in Europe used in exaltation of both the divine ruler and the human ruler in the one region borne by attendants over kings and supported in a more permanent manner over the cars in which idols are drawn, and in the other used alike in state processions and ecclesiastical processions, to shade now the monarch and now the Host.

Of course with regulations giving to higher ranks the exclusive enjoyment of the more costly conveniences, there go others forbidding the inferior to have conveniences of even less costly natures. For example, in Fiji the best kind of mat for lying on is forbidden to the common people. In Dahomey, the use of hammocks is a royal prerogative shared in only by the whites. Concerning the Siamese Bowring says — "We were informed that the use of such cushions [more or less ornamented according to rank] was prohibited to the people." And we learn from Bastian that among the Joloffs the use of the mosquito-curtain is a royal prerogative.

§ 120 Of sumptuary laws those regulating the use of foods may be traced back to very early stages—stages in which negroes have not yet taken the shape of laws. They go along with the subordination of the young to the old and of females to males. Among the Tasmanians, the old

men get the best food," and Sturt says, "only the old men of the natives of Australia have the privilege of eating the emu. For a young man to eat it is a crime." The Khond women, Macpherson tells us, "for some unknown cause, are never, I am informed, permitted to eat the flesh of the hog." In Tahiti "the men were allowed to eat the flesh of the pig, and of fowls, and a variety of fish, cocoa-nuts, and plantains, and whatever was presented as an offering to the gods, which the females, on pain of death, were forbidden to touch." After stating that the Fijian women are never permitted to enter the temple, the United States' explorers add—"nor, as we have seen, to eat human flesh, at least in public."

Of food-restrictions other than those referring to age and sex, may first be named one from Fiji—one which also refers to the consumption of human flesh. Seeman says "the common people throughout the group, as well as women of all classes, were by custom debarred from it. Cannibalism was thus restricted to the chiefs and gentry." Of other class-restrictions on food, ancient America furnishes examples. Among the Chibchas, "venison could not be eaten unless the privilege had been granted by the cazique." In San Salvador, "none formerly drank chocolate but the prime men and notable soldiers," and in Peru "the kings (Yncas) had the coca as a royal possession and privilege."

Of course there might be added to these certain of the sumptuary laws respecting food which prevailed during past times throughout Europe.

§ 421. Of the various class-distinctions which imply superior rank by implying greater wealth, the most curious remain. I refer to certain inconvenient, and sometimes painful, traits, only to be acquired by those whose abundant means enable them to live without labour, or to indulge in some kind of sensual excess.

more lavish than are the civilized. There are barbarous peoples among whom the expected hospitalities on the occasion of a daughter's marriage are so costly as to excuse female infanticide, on the ground that the ruinous expense which rearing the daughter would eventually entail is thus avoided. Thomson and Angus unite in describing the extravagance into which the New Zealand chiefs are impelled by fashion in giving great feasts as often causing famines—feasts for which chiefs begin to provide a year before each being expected to out-do his neighbours in prodigality. And the motive thus coming into play early in social evolution and making equals vie with one another in display, similarly all along prompts the lower to vie, so far as they are allowed with the higher. Everywhere and always the tendency of the inferior to assert himself has been in antagonism with the restraints imposed on him and a prevalent way of asserting himself has been to adopt costumes and appliances and customs like those of his superior. Habitually there have been a few of subordinate rank who for one reason or other have been allowed to encroach by imitating the ranks above, and habitually the tendency has been to multiply the precedents for imitation and so to establish for wider classes the freedom to live and dress in ways like those of the narrower classes.

Especially has this happened as fast as rank and wealth have ceased to be coincident—as fast, that is as industrialism has produced men rich enough to compete in style of living with those above them in rank. Partly from the greater means, and partly from the consequent greater power, acquired by the upper grades of producers and distributors and partly from the increasing importance of the financial aid they can give to the governing classes in public and private affairs there has been an ever decreasing resistance to the adoption by them of a ages originally forbidden to all but the high born. The restraints in earlier times enacted and re-enacted by sumptuary laws, have been gradually

relaxed, until the imitation of superiors by inferiors, spreading continually downwards, has ceased to be checked by anything more than sarcasm and ridicule

§ 426 Entangled and confused with one another as Ceremonial and Fashion are, they have thus different origins and meanings. the first being proper to the *régime* of compulsory co-operation, and the last being proper to the *régime* of voluntary co-operation. Clearly there is an essential distinction, and, indeed, an opposition in nature, between behaviour required by subordination to the great and behaviour resulting from imitation of the great

It is true that the regulations of conduct here distinguished, are ordinarily fused into one aggregate of social regulations. It is true that certain ceremonial forms come to be fulfilled as parts of the prevailing fashion, and that certain elements of fashion, as for instance the order of courses at a dinner, come to be thought of as elements of ceremonial. And it is true that both are now enforced by an unembodied opinion which appears to be the same for each. But, as we have seen above, this is an illusion. Though when, in our day, a wealthy quaker, refusing to wear the dress worn by those of like means, refuses also to take off his hat to a superior, we commonly regard these non-conformities as the same in nature, we are shown that they are not, if we go back to the days when the salute to the superior was insisted on under penalty, while the imitation of the superior's dress, so far from being insisted on, was forbidden. Two different authorities are defied by his acts—the authority of class-rule, which once dictated such obeisances, and the authority of social opinion, which thinks nonconformities in dress imply inferior *status*.

So that, strange to say, Fashion, as distinguished from Ceremony, is an accompaniment of the industrial type as distinguished from the militant type. It needs but to

is shown us by the more civilized Siamese, whose adult males are all soldiers, and over whom rules omnipotently a sacred king whose "palace must not be passed without marks of reverence" duly prescribed and "severe punishments follow any inattention to these requirements" and where, in social intercourse 'mistakes in these kinds of duties [obeisances] may be punished with the *baton* by him against whom they have been committed"

Along with this rigour of ceremonial rule we find great definiteness. In Fiji there are various forms of salutation, according to the rank of the parties, and great attention is paid to insure that the salutation shall have the proper *form* 'such precision naturally arising where loss of life or fingers follows breach of observance. A kindred precision is similarly caused in the tyrannically governed African kingdoms, such as Loango, where a king killed his own son and had him quartered because the son happened to see his father drink or such as Ashantee, where there is much 'punctilious courtesy, and a laboured and ceremonious formality" And this definiteness characterizes observances under the despotisms of the remote East. Of the Siamese La Loubere says—"In the same ceremonies they always say almost the same things. The king of Siam himself has his words almost told [*conféss*] in his audience of ceremony.' So too in China in the imperial hall of audience stones are inlaid with plates of brass on which are engraved in Chinese characters the quality of the persons who are to stand or kneel upon them" and as Hue says "it is easier to be polite in China than elsewhere as politeness is subject to more fixed regulations." Japan also shows us this precise adjustment of the observance to the occasion—"The marks of respect to superiors are graduated from a trifling acknowledgment to the most absolute prostration." This state of things is supported by law as well as custom and more particularly by the permission given to a two-wal-l man

in case of his feeling himself insulted, to take the law into his own hands " Nor does Europe in its most militant country, autocratically ruled, fail to yield an illustration. Custine says of Russia that, at the marriage of the Grand Duchess Maria with the Duke of Leuchtenberg (1839) the Emperor Nicholas " was continually leaving his prayers, and slipping from one side to the other, in order to remedy the omissions of etiquette among his children, or the clergy. . . . All the great functionaries of the Court seemed to be governed by his minute but supreme directions "

In respect of the range and elaborateness of ceremonial rule, assimilating the control of civil life to the control of military life, Oriental despotisms yield equally striking examples La Loubère says —" If there are several Siamese together, and another joins them, it often happens that the postures of all change They know before whom and to what extent they should bend or remain erect or seated, whether they should join their hands or not and hold them low or high, whether being seated they may advance one foot or both, or should keep both hidden " Even the monarch is under kindred restraints " The *Phra raxa monthrieaban* [apparently, sacred book] lays down the laws which the Sovereign is bound to obey, prescribes the hours for rising and for bathing, the manner of offering and the alms to be offered, to the bonzes, the hours of audience for nobles and for princes, the time to be devoted to public affairs and to study, the hours for repasts, and when audiences shall be allowed to the Queen and the ladies of the palace " Again, in the account of his embassy to Ava, Syme writes —" The subordination of rank is maintained and marked by the Birmans with the most tenacious strictness; and not only houses, but even domestic implements, such as the bettle box, water flagon, drinking cup, and horse furniture, all express and manifest, by shape and quality, the precise station of the owner " In China, too, the *Li ki*, or Book of Rites, gives directions for all actions of life, and

monial rule which has evolved into a system of regulations for social intercourse there grows a third class of restraints and these in like manner become at length independent. From observances which, in their primitive forms, express partly subordination to a superior and partly attachment to him and which spreading downwards, become general forms of behaviour, there finally come observances expressing a proper regard for the individualities of other persons, and a true sympathy in their welfare. Ceremonies which originally have no other end than to propitiate a dominant person, pass, some of them into rules of politeness, and these gather an authority distinct from that which they originally had. Apt evidence is furnished by the 'Ritual Remembrancer' of the Chinese, which gives directions for all the actions of life. Its regulations "are interspersed with truly excellent observations regarding mutual forbearance and kindness in society, which is regarded as the true principle of etiquette." The higher the social evolution, the more does this inner element of ceremonial rule grow, while the outer formal element dwindles. As fast as the principles of natural politeness seen to originate in sympathy distinguish themselves from the code of ceremonial within which they originate, they replace its authority by a higher authority, and go on dropping its non-essentials while developing further its essentials.

So that as law differentiates from personal commands, and as morality differentiates from religious injunctions, so politeness differentiates from ceremonial observance. To which I may add, so does rational usage differentiate from fashion.

§ 113. Thus guided by retrospect we cannot doubt about the prospect. With further development of the social type based on voluntary co-operation will come a still greater disuse of observances of complimentary forms of address, of titles, of badges, &c. &c. The feeling, alike of those by

whom, and those to whom, acts expressing subordination are performed, will become more and more averse to them.

Of course the change will be, and should be, gradual. Just as, if political freedom is gained faster than men become adequately self-controlled, there results social disorder—just as abolition of religious restraints while yet moral restraints have not grown strong enough, entails increase of misconduct, so, if the observances regulating social intercourse lose their sway faster than the feelings which prompt true politeness develop, there inevitably follows more or less rudeness in behaviour and consequent liability to discord. It needs but to name certain of our lower classes, such as colliers and brickmakers, whose relations to masters and others are such as to leave them scarcely at all restrained, to see that considerable evils arise from a premature decay of ceremonial rule.

The normal advance toward that highest state in which the minor acts of men towards one another, like their major acts, are so controlled by internal restraints as to make external restraints needless, implies increasing fulfilment of two conditions. Both higher emotions and higher intelligence are required. There must be a stronger fellow feeling with all around, and there must be an intelligence developed to the extent needful for instantly seeing how all words and acts will tell upon their states of mind—an intelligence which, by each expression of face and cadence of speech, is informed what is the passing state of emotion, and how emotion has been affected by actions just committed.

PART V.

POLITICAL INSTITUTIONS.

among rude peoples which compare well with those of the best among cultivated peoples. With little knowledge and but rudimentary arts, there in some cases go virtues which might shame those among ourselves whose education and polish are of the highest.

Surviving remnants of some primitive races in India, have natures in which truthfulness seems to be organic. Not only to the surrounding Hindoos, higher intellectually and relatively advanced in culture are they in this respect far superior but they are superior to Europeans. Of certain of these Hill peoples it is remarked that their assertions may always be accepted with perfect confidence, which is more than can be said of manufacturers who use false trade marks or of diplomats who intentionally delude. As having this trait may be named the Santals of whom Hunter says, "they were the most truthful set of men I ever met" and, again the Sowahs of whom Shortt says "a pleasing feature in their character is their complete truthfulness. They do not know how to tell a lie." Notwithstanding their sexual relations of a primitive and low type even the Todas are described as condemning "falsehood one of the worst of vices." Though Metcalf says that they practise dissimulation towards Europeans yet he recognizes this as a trait consequent on their intercourse with Europeans, and this judgment coincides with one given to me by an Indian civil servant concerning other Hill tribes originally distinguished by their veracity but who are rendered less veracious by contact with the whites. So rare is lying among these aboriginal races when unvitiated by the "civilized" that of those in Bengal Hunter singles out the Tipperahs as "the only hill tribe in which this vice is met with."

Similarly in respect of honesty some of these peoples classed as inferior read like sons to those classed as superior. Of the Todas just named ignorant and degraded as they are in some respects Harkness says "I never saw a people civilized or uncivilized, who seemed to have a more relig-
 ous

respect for the rights of *meum et tuum*” The Marias (Gonds), “in common with many other wild races, bear a singular character for truthfulness and honesty” Among the Khonds “the denial of a debt is a breach of this principle, which is held to be highly sinful ‘Let a man,’ say they, ‘give up all he has to his creditors’” The Santál prefers to have “no dealings with his guests, but when his guests introduce the subject he deals with them as honestly as he would with his own people” “he names the true price at first” The Lepchas “are wonderfully honest, theft being scarcely known among them” And the Bodo and Dhimals are “honest and truthful in deed and word” Colonel Dixon dilates on the “fidelity, truth, and honesty” of the Carnatic aborigines, who show “an extreme and almost touching devotion when put upon their honour” And Hunter asserts of the Chakmás, that “crime is rare among these primitive people Theft is almost unknown.”

So it is, too, with the general virtues of these and sundry other uncivilized tribes The Santal “possesses a happy disposition,” is “sociable to a fault,” and while the “sexes are greatly devoted to each other’s society,” the women are “exceedingly chaste” The Bodo and the Dhimals are “full of amiable qualities” The Lepcha, “cheerful, kind, and patient,” is described by Dr Hooker as a most “attractive companion,” and Dr Campbell gives “an instance of the effect of a very strong sense of duty on this savage” In like

But now observe that the inter-social struggle for existence which has been indispensable in evolving societies, will not necessarily play in the future a part like that which it has played in the past. Recognizing our indebtedness to war for forming great communities and developing their structures we may yet infer that the acquired powers, available for other activities, will lose their original activities. While conceding, that without these perpetual bloody strifes civilized societies could not have arisen and that an adapted form of human nature fierce as well as intelligent, was a needful concomitant we may at the same time hold that such societies having been produced the brutality of nature in their units which was necessitated by the process ceasing to be necessary with the cessation of the process, will disappear. While the benefits achieved during the predatory period remain a permanent inheritance, the evils entailed by it will decrease and slowly die out.

Thus then contemplating social structures and actions from the evolution point of view we may preserve that calmness which is needful for scientific interpretation of them without losing our powers of feeling moral reprobation or approbation.

§ 437 To these preliminary remarks respecting the mental attitude to be preserved by the student of political institutions a few briefer ones must be added respecting the subject matters he has to deal with.

If societies were all of the same species and differed only in their stages of growth and structure comparisons would disclose clearly the course of evolution but unlikeness of type among them here great and there small obscure the results of such comparisons.

Again if each society grew and unfolded itself without the intrusion of additional factors interpretation would be relatively easy but the complicated processes of development are frequently re-complicated by changes in the role of

factors. Now the size of the social aggregate is all at once increased or decreased by annexation or by loss of territory, and now the average character of its units is altered by the coming in of another race as conquerors or as slaves, while, as a further effect of this event, new social relations are superposed on the old. In many cases the repeated over-runnings of societies by one another, the minglings of peoples and institutions, the breakings up and re-aggregations, so destroy the continuity of normal processes as to make it extremely difficult, if not impossible, to draw conclusions.

Once more, modifications in the average mode of life pursued by a society, now increasingly warlike and now increasingly industrial, initiate metamorphoses: changed activities generate changes of structures. Consequently there have to be distinguished those progressive re-arrangements caused by the further development of one social type, from those caused by the commencing development of another social type. The lines of an organization adapted to a mode of activity which has ceased, or has been long suspended, begin to fade, and are traversed by the increasingly-definite lines of an organization adapted to the mode of activity which has replaced it, and error may result from mistaking traits belonging to the one for those belonging to the other.

Hence we may infer that out of the complex and confused evidence, only the larger truths will emerge with clearness. While anticipating that certain general conclusions are to be positively established, we may anticipate that more special ones can be alleged only as probable.

Happily, however, as we shall eventually see, those general conclusions admitting of positive establishment, are the conclusions of most value for guidance.

units originally like in kind the progress of organization implies not only that the units composing each differentiated part severally maintain their positions but also that their progeny succeed to those positions. Bile-cells which, while performing their functions, grow and give origin to new bile-cells are, when they decay and disappear replaced by those the cells descending from them do not migrate to the kidneys or the muscles or the nervous centres to join in the performance of their duties. And, evidently unless the specialized units each organ is made of produced units similarly specialized which remained in the same place there could be none of those settled relations among parts which characterize the organism, and fit it for its particular mode of life.

In a society also, establishment of structure is favoured by the transmission of positions and functions through successive generations. The maintenance of those class-divisions which arise as political organization advances implies the inheritance of a rank and a place in each class. The like happens with those sub-divisions of classes which in some societies constitute castes and in other societies are exemplified by incorporated trades. Where custom or law compels the sons of each worker to follow their father's occupation there result among the industrial structures obstacles to change analogous to those which result in the regulative structures from impassable divisions of ranks. India shows this in an extreme degree and in a less degree it was shown by the craft guilds of early days in England which facilitated adoption of a craft by the children of those engaged in it, and hindered adoption of it by others. Thus we may call inheritance of position and function the principle of fixity in social organization.

There is another way in which succession by inheritance whether to class-position or to occupation conduces to stability. It secures supremacy of the elder and supremacy of the elder tends towards maintenance of the established order. A system under which a chief ruler, sub-ruler, head of

clan or house, official, or any person having the power given by rank or property, retains his place until at death it is filled by a descendant, in conformity with some accepted rule of succession, is a system under which, by implication, the young, and even the middle-aged, are excluded from the conduct of affairs. So, too, where an industrial system is such that the son, habitually brought up to his father's business, cannot hold a master's position till his father dies, it follows that the regulative power of the elder over the processes of production and distribution, is scarcely at all qualified by the power of the younger. Now it is a truth daily exemplified, that increasing rigidity of organization, necessitated by the process of evolution, produces in age an increasing strength of habit and aversion to change. Hence it results that succession to place and function by inheritance, having as its necessary concomitant a monopoly of power by the eldest, involves a prevailing conservatism, and thus further insures maintenance of things as they are.

Conversely, social change is facile in proportion as men's places and functions are determinable by personal qualities. Members of one rank who establish themselves in another rank, in so far directly break the division between the ranks, and they indirectly weaken it by preserving their family relations with the first, and forming new ones with the second, while, further, the ideas and sentiments pervading the two ranks, previously more or less different, are made to qualify one another and to work changes of character. Similarly if, between sub-divisions of the producing and distributing classes, there are no barriers to migration, then, in proportion as migrations are numerous, influences physical and mental, following inter-fusion, alter the natures of their units, at the same time that they check the establishment of differences of nature caused by differences of occupation. Such transpositions of individuals between class and class, or group and group, must, on the average, however, depend on the fitnesses of the individuals for their new places and duties.

most coherent societies. In two allied, yet distinguishable, ways does monogamy favour social solidarity

Unlike the children of the polyandric family who are something less than half brothers and sisters (see § 300 note) and unlike the children of the polygynic family most of whom are only half brothers and sisters, the children of the monogamic family are in the great majority of cases all of the same blood on both sides. Being thus themselves more closely related, it follows that their clusters of children are more closely related and where as happens in early stages these clusters of children when grown up continue to form a community and labour together they are united alike by their kinships and by their industrial interests. Though with the growth of a family group into a gens which spreads the industrial interests divide yet these kinships prevent the divisions from becoming as marked as they would otherwise become. And similarly when the gens in course of time develops into the tribe.

Nor is this all. If local circumstances bring together several such tribes which are still allied in blood though more remotely it results that when seated side by side they are gradually fused partly by inter-spersion and partly by intermarriage the compound society formed united by numerous and complicated links of kinship as well as by political interests is more strongly bound together than it would otherwise be. Dominant ancient societies illustrate this truth. Says Grote—"All that we hear of the most ancient Athenian laws is based upon the gentile and phratric divisions which are treated throughout as extensions of the family." Similarly according to Mommsen on the "Roman household was based the Roman state both as respected its constituent elements and its form. The community of the Roman people arose out of the junction (in whatever way brought about) of such a series of kinships as the *Familia Velintia* Labii &c." And Sir Henry Maine has shown in detail the ways in which the small family gave rise to the house-community and eventually the

village-community. Though, in presence of the evidence furnished by races having irregular sexual relations, we cannot allege that sameness of blood is the primary reason for political cooperation—though in numerous tribes which have not risen into the pastoral state, there is combination for offence and defence among those whose different totems are recognized marks of different bloods, yet where there has been established descent through males, and especially where monogamy prevails, sameness of blood becomes largely, if not mainly, influential in determining political cooperation. And this truth, under one of its aspects, is the truth above enunciated, that combined action, requiring a tolerable homogeneity of nature among those who carry it on, is, in early stages, most successful among those who, being descendants of the same ancestors, have the greatest likeness.

An all-important though less direct effect of blood-relationship, and especially that more definite blood-relationship which arises from monogamic marriage, has to be added. I mean community of religion—a likeness of ideas and sentiments embodied in the worship of a common deity. Beginning, as this does, with propitiation of the deceased founder of the family, and shared in, as it is, by the multiplying groups of descendants, as the family spreads, it becomes a further means of holding together the compound cluster gradually formed, and checking the antagonisms that arise between the component clusters so favouring integration. The influence of the bond supplied by a common cult everywhere meets us in ancient history. Each of the cities in primitive Egypt was a centre for the worship of a special divinity; and no one who, unbiassed by foregone conclusions, observes the extraordinary development of ancestor-worship, under all its forms, in Egypt, can doubt the origin of this divinity. Of the Greeks we read that—

“Each family had its own sacred rites and funereal commemoration of ancestors, celebrated by the master of the house, to which none but members of the family were admissible the extinction of a family,

saw also that in Cueba, where the women join the men in war fighting by their side," their position is much higher than usual among rude peoples, and similarly that in Dahomey where the women are as much warriors as the men they are so regarded that, in the political organization, "the woman is officially superior." On contrasting these exceptional cases with the ordinary cases in which the men solely occupied in war and the chase have unlimited authority while the women occupied in gathering miscellaneous small food and carrying burdens are abject slaves, it becomes clear that diversity of relations to surrounding actions initiates diversity of social relations. And, as we saw in § 327 this truth is further illustrated by those few uncivilized societies which are habitually peaceful such as the Bodo and the Dhimals of the Indian hills and the ancient Pueblos of North America—societies in which the occupations are not, or were not, broadly divided into fighting and working and severally assigned to the two sexes and in which along with a comparatively small difference between the activities of the sexes there goes or went small difference of social status.

So is it when we pass from the greater or less political differentiation which accompanies difference of sex to that which is independent of sex—to that which arises among men. Where the life is permanently peaceful, definite class divisions do not exist. One of the Indian Hill-tribes to which I have already referred as exhibiting the honesty truthfulness and amiability accompanying a purely industrial life may be instanced. Hodgson says "all Bodo and all Dhimals are equal—absolutely so in right or law—wonderfully so in fact." The like is said of another unwarlike and amiable hill tribe the Lepchas have no caste distinctions." And among a different race the Papuans may be named the peaceful Arasuras as displaying "brotherly love with one another" and as having no divisions of rank.

§ 456 As at first, the domestic relation between the sexes

passes into a political relation, such that men and women become, in militant groups, the ruling class and the subject class, so does the relation between master and slave, originally a domestic one, pass into a political one as fast as, by habitual war, the making of slaves becomes general. It is with the formation of a slave-class that there begins that political differentiation between the regulating structures and the sustaining structures, which continues throughout all higher forms of social evolution.

Kane remarks that "slavery in its most cruel form exists among the Indians of the whole coast, from California to Behning's Straits, the stronger tribes making slaves of all the others they can conquer. In the interior, where there is but little warfare, slavery does not exist." And this statement does but exhibit, in a distinct form, the truth everywhere obvious. Evidence suggests that the practice of enslavement diverged by small steps from the practice of cannibalism. Concerning the Nootkas, we read that "slaves are occasionally sacrificed and feasted upon," and if we contrast this usage with the usage common elsewhere, of killing and devouring captives as soon as they are taken, we may infer that the keeping of captives too numerous to be immediately eaten, with the view of eating them subsequently, leading, as it would, to the employment of them in the meantime, caused the discovery that their services might be of more value than their flesh, and so initiated the habit of preserving them as slaves. Be this as it may, however, we find that very generally among tribes to which habitual militancy has given some slight degree of the appropriate structure, the enslavement of prisoners becomes an established habit. That women and children taken in war, and such men as have not been slain, naturally fall into unqualified servitude, is manifest. They belong absolutely to their captors, who might have killed them, and who retain the right afterwards to kill them if they please. They become property, of which any use whatever may be made.

original conception of nobility was in the course of time so much widened that its primitive relation to the possession of a fief is no longer recognizable and the whole institution seems changed. These with kindred instances which our own country and other European countries furnish, show us both how the original class-divisions become blurred, and how the new class-divisions are distinguished by being de-localized. They are strata which run through the integrated society having many of them no reference to the land and no more connexion with one place than with another. It is true that of the titles artificially conferred the higher are habitually derived from the names of districts and towns so simulating but only simulating the ancient feudal titles expressive of actual lordship over territories. The other modern titles however which have arisen with the growth of political, judicial, and other functions have not even nominal reference to localities. This change naturally accompanies the growing integration of the parts into a whole and the rise of an organization of the whole which disregards the divisions among the parts.

More effective still in weakening those primitive political divisions initiated by militancy is increasing industrialism. This acts in two ways—firstly by creating a class having power derived otherwise than from territorial possessions or official positions, and, secondly by generating ideas and sentiments at variance with the ancient assumptions of class superiority. As we have already seen rank and wealth are at the outset habitually associated. Existing uncivilized peoples still show us this relation. The chief of a kraal among the Koranna Hottentots is “usually the person of greatest property.” In the Bechnana language “the word *lozi* has a double acceptation denoting either a chief or a rich man.” Such small authority as a Chinese chief has “rests on riches which consists in wives children, slaves boats and shells.” Indo-European peoples like the Albanians, yield kindred facts the heads of their communities

"sont en général les gens les plus riches" Indeed it is manifest that before the development of commerce, and while possession of land could alone give largeness of means, lordship and riches were directly connected, so that, as Sir Henry Maine remarks, "the opposition commonly set up between birth and wealth, and particularly wealth other than landed property, is entirely modern" When, however, with the arrival of industry at that stage in which wholesale transactions bring large profits, there arise traders who vie with, and exceed, many of the landed nobility in wealth, and when by conferring obligations on kings and nobles, such traders gain social influence, there comes an occasional removal of the barrier between them and the titled classes In France the process began as early as 1271, when there were issued letters ennobling Raoul the goldsmith—"the first letters conferring nobility in existence" in France The precedent once established is followed with increasing frequency, and sometimes, under pressure of financial needs, there grows up the practice of selling titles, in disguised ways or openly. In France, in 1702, the king ennobled 200 persons at 3,000 livres a-head; in 1706, 500 persons at 6,000 livres a-head And then the breaking down of the ancient political divisions thus caused, is furthered by that weakening of them consequent on the growing spirit of equality fostered by industrial life In proportion as men are habituated to maintain their own claims while respecting the claims of others, which they do in every act of exchange, whether of goods for money or of services for pay, there is produced a mental attitude at variance with that which accompanies subjection, and, as fast as this happens, such political distinctions as imply subjection, lose more and more of that respect which gives them strength

§ 463 Class-distinctions, then, date back to the beginnings of social life Omitting those small wandering assemblages which are so incoherent that their component parts are

be present when we pass to sundry historic peoples. Even of the Phœnicians Movers notes that "in the time of Alexander a war was decided upon by the Tyrians without the consent of the absent king, the senate acting together with the popular assembly." Then there is the familiar case of the Homeric Greeks whose Agora presided over by the king was "an assembly for talk, communication and discussion to a certain extent by the chiefs in presence of the people as listeners and sympathisers" who were seated around and that the people were not always passive is shown by the story of Thersites who ill used though he was by Odysseus and derided by the crowd for interfering, had first made his harangue. Again the king, the senate and the freemen in early Roman times stood in relations which had manifestly grown out of those existing in the original assembly for though the three did not simultaneously co-operate yet on important occasions the king communicated his proposals to the assembled burgesses who expressed their approval or disapproval and the clan-chiefs forming the senate though they did not debate in public had yet such joint power that they could on occasion negative the decision of king and burgesses. Concerning the primitive Germans Tacitus as translated by Mr. Freeman writes—

"On smaller matters the chief decides; on greater matters all men; but so that those things whose final decision rests with the whole people are first handled by the chiefs. The multitude sits armed in an order as it thinks good; silence is proclaimed by the priests, who have a right of enforcing it. Presently the king or chief according to the nature of each, according to his birth according to his glory in war or his influence is allowed to speak; rather is the influence of persons than by the power of commanding. If their opinions give place they are thrust aside with a shout; if they are approved the leaders lead the people."

Similarly among the Scandinavians as shown us in Iceland where is held the general Althing, annually held which it was "the great assembly of the free men" attended by all the free men of all classes in fact all the freemen "the great assembly" — which is called *Alþingi* — is held by all the free

men of the district, with a crowd of retainers . . . both for the discussion of public affairs and the administration of justice

Within the circle [formed for administering justice] sat the judges, the people standing on the outside" In the account given by Mr. Freeman of the yearly meetings in the Swiss cantons of Uri and Appenzell, we may trace this primitive political form as still existing, for though the presence of the people at large is the fact principally pointed out, yet there is named, in the case of Uri, the body of magistrates or chosen chiefs who form the second element, as well as the head magistrate who is the first element. And that in ancient England there was a kindred constitution of the Witenagemot, is indirectly proved, as witness the following passage from Freeman's *Growth of the English Constitution* —

"No ancient record gives us any clear or formal account of the constitution of that body. It is commonly spoken of in a vague way as a gathering of the wise, the noble, the great men. But, alongside of passages like these, we find other passages which speak of it in a way which implies a far more popular constitution. King Eadward is said to be chosen King by 'all folk.' Earl Godwine 'makes his speech before the king and all the people of the land'."

And the implication, as Mr. Freeman points out, is that the share taken by the people in the proceedings was that of expressing by shouts their approval or disapproval.

This form of ruling agency is thus shown to be the fundamental form, by its presence at the outset of social life and by its continuance under various conditions. Not among peoples of superior types only, such as Aryans and some Semites, do we find it, but also among sundry Malayo-Polynesian, among the red men of North America, the Dravidian tribes of the Indian hills, the aborigines of Australia. In fact, as already implied, governmental organization could not possibly begin in any other way. On the one hand, no controlling force at first exists save that of the aggregate will as manifested in the assembled horde. On the other hand, leading parts in determining this aggregate will are inevitably taken by the few whose superiority is recognized. And of

is the gradually formed opinion of countless preceding generations or rather not the opinion which strictly speaking, is an intellectual product wholly impotent but the emotion associated with the opinion. This we everywhere find to be at the outset the chief controlling power.

The notion of the Tupis that "if they departed from the custom of their forefathers they should be destroyed" may be named as a definite manifestation of the force with which this transmitted opinion acts. In one of the rudest tribes of the Indian hills the Juangs less clothed than even Adam and Eve are said to have been the women long adhered to their bunches of leaves in the belief that change was wrong. Of the Koranna Hottentots we read that "when ancient usages are not in the way every man seems to act as is right in his own eyes." Though the Dinari chiefs have the power of governing arbitrarily yet they venerate the traditions and customs of their ancestors." Smith says "laws the Australian can scarcely be said to have though there are many ancient usages which they hold sacred and strictly observe." According to Brooke among the Dyaks custom simply seems to have become law and breaking the custom leads to a fine. In the minds of some clans of the Malagasy, innovation and injury are inseparable and the idea of improvement altogether inadmissible."

vailing feelings and guided by prevailing thoughts, through generations stretching back into the far past

In brief, then, before any definite agency for social control is developed, there exists a control arising partly from the public opinion of the living, and more largely from the public opinion of the dead

§ 468 But now let us note definitely a truth implied in some of the illustrations above given—the truth that when a political agency has been evolved, its power, largely dependent on present public opinion, is otherwise almost wholly dependent on past public opinion. The ruler, in part the organ of the wills of those around, is in a still greater degree the organ of the wills of those who have passed away, and his own will, much restrained by the first, is still more restrained by the last

For his function as regulator is mainly that of enforcing the inherited rules of conduct which embody ancestral sentiments and ideas. Everywhere we are shown this. Among the Arafukas such decisions as are given by their elders, are “according to the customs of their forefathers, which are held in the highest regard.” So is it with the Khirgiz “the judgments of the Bis, or esteemed elders, are based on the known and universally-recognized customs.” And in Sumatra “they are governed in their various disputes, by a set of long-established customs (*adat*), handed down to them from their ancestors . . . The chiefs, in pronouncing their decisions, are not heard to say, ‘so the law directs,’ but ‘such is the custom.’”

As fast as custom passes into law, the political head becomes still more clearly an agent through whom the feelings of the dead control the actions of the living. That the power he exercises is mainly a power which acts through him, we see on noting how little ability he has to resist it if he wishes to do so. His individual will is practically inoperative save where the overt or tacit injunctions of departed

for insisting at some length on what appears to be a true conclusion must be that however far nominally recognized it is actually recognized to a very small extent. Even in our own country where non political agencies spontaneously produced and worked are many and large and still more in most other countries less characterized by them, there is no due consciousness of the truth that the combined impulses which work through political agencies can, in the absence of such agencies produce others through which to work. Politicians reason as though State-instrumentalities have intrinsic power which they have not and as though the feeling which creates them has not intrinsic power which it has. Evidently their actions must be greatly affected by reversal of these ideas.

CHAPTER VI.

POLITICAL HEADS—CHIEFS, KINGS, ETC

§ 471 Of the three components of the tri-une political structure traceable at the outset, we have now to follow the development of the first. Already in the last two chapters something has been said, and more has been implied, respecting that most important differentiation which results in the establishment of a headship. What was there indicated under its general aspects has here to be elaborated under its special aspects.

“When Rink asked the Nicobarians who among them was the chief, they replied laughing, how could he believe that *one* could have power against so many?” I quote this as a reminder that there is, at first, resistance to the assumption of supremacy by one member of a group—resistance which, though in some types of men small, is in most considerable, and in a few very great. To instances already given of tribes practically chiefless may be added, from America, the Haudahs, among whom “the people seemed all equal,” the Californian tribes, among whom “each individual does as he likes,” the Navajos, among whom “each is sovereign in his own right as a warrior” and from Asia the Angamies, who “have no recognized head or chief, although they elect a spokesman, who, to all intents and purposes is powerless and irresponsible.”

Such small subordination as rude groups show, occurs only

The kingship became united with the leadership (become permanent raised itself to a power [institution] of the army and, as a consequence, nation under the king leader further in the State. The military subordination under the king kingship thered political subordination unthpht with supreme rights—a king after the invasions is a kingship ship in our sense

In like manner it is observed by Ranko that during the wars the century—

with the English in the fifteen struggling for its very existence "The French monarchy what the result of the struggle a firmer acquired at the same time, and assted to carry on the contest grew as organization. The expedients nology institutions."

in other important cases to nation relation between successful And modern instances of thing of political control are fur militancy and the strong'hennoleon and the recent history of nished by the career of Nap

the German Empire hen commonly beginning with

Headship of the society twarrior of greatest power bold the influence gained by the established where activity in n and capacity becomess superiority to show it elf and war gives opportunity for land thereafter the growth of civil to gain rate subordination narily related to the exercise of governorship continues from militant fun tion

never would be the idea f med

§ 474 Very erroneous heral headship were named There if n further origin for politims ca c operating alone and in is a kind of influence in both t above specified which hall l re a box per a in within n c p s ally th mch in -

throw one of his hege spirits into the body of one who refuses to believe in his power, upon which the possessed is taken with swooning and fits,' we may imagine the dread he excites, and the sway he consequently gains. From some of the lowest races upwards we find illustrations. Fitzroy says of the "doctor-wizard" among the Fuegians that he is the most cunning and most deceitful of his tribe, and that he has great influence over his companions. "Though the Tasmanians were free from the despotism of rulers, they were swayed by the counsels, governed by the arts, or terrified by the fears, of certain wise men or doctors. These could not only mitigate suffering, but inflict it." A chief of the Haidahs "seems to be the principal sorcerer, and indeed to possess little authority save from his connection with the preter-human powers." The Dakota medicine-men—

"Are the greatest rascals in the tribe, and possess immense influence over the minds of the young, who are brought up in the belief of their supernatural powers. . . . The war-chief, who leads the party to war, is always one of these medicine-men, and is believed to have the power to guide the party to success, or save it from defeat."

Among more advanced peoples in Africa, supposed abilities to control invisible beings similarly give influence—strengthening authority otherwise gained. It is so with the Amazulu a chief "practises magic on another chief before fighting with him," and his followers have great confidence in him if he has much repute as a magician. Hence the sway acquired by Langalibalele, who, as Bishop Colenso says, "knows well the composition of that *intelekzi* [used for controlling the weather], and he knows well, too, the war-medicine, *ze*, its component parts, being himself a doctor." Still better is seen the governmental influence thus acquired in the case of the king of Obbo, who in time of drought calls his subjects together and explains to them—

"how much he regrets that their conduct has compelled him to afflict them with unfavourable weather, but that it is their own fault. . . . He must have goats and corn. 'No goats, no rain, that's our contract, my friends,' says Katchuba. . . . Should his people complain of too

to the sons and brothers of the preceding king. Then of ancient Peru Gomara says—"nephews inherit and not sons except in the case of the Incas" this exception in the case of the Incas having the strange peculiarity that

the first-born of this brother and sister [i.e., the Inca and his principal wife] was the legitimate heir to the kingdom" an arrangement which made the line of descent unusually narrow and definite.

And here we are brought back to Africa by the parallelism between the case of Peru and that of Egypt. In Egypt "it was the maternal descent that gave the right to property and the throne. The same prevailed in Ethiopia. If the monarch married out of the royal family the children did not enjoy a legitimate right to the crown. When we add the statement that the monarch was "supposed to be descended from the gods in the male and female line" and when we join with this the further statement that there were royal marriages between brother and sister we see that his cause worked like effect in Egypt and in Peru. For in Peru the Inca was of supposed divine descent inherited his divinity on both sides and married his sister to keep the divine blood unmixed. And in Peru as in Egypt there resulted royal succession in the male line where otherwise succession through females prevailed. Ancient Babylon where "the form of government was at all times an unmitigated despotism" appears to have

as in these cases, when no nomination has been made, the nobles choose among members of the royal family, and are determined in their choice by eligibility, there may be, and naturally is, a departure from descent in the female line, and this system of descent once broken through is likely for several reasons to be abolished.

We are also introduced to another transitional process. For some of these cases are among the many in which succession to rulership is fixed in respect of the family, but not fixed in respect of the member of the family—a stage implying a partial but incomplete stability of the political headship. Several instances occur in Africa. The crown of Abyssinia is “hereditary in one family, but elective in the person,” says Bruce. “Among the Timmanees and Bulloms, the crown remains in the same family, but the chief or head men of the country upon whom the election of a king depends, are at liberty to nominate a very distant branch of that family.” And a Kaffir “law requires the successor to the king should be chosen from amongst some of the younger princes.” In Java and Samoa, too, while succession to rulership is limited to the family, it is but partially settled with respect to the individual. And the like held in Spain (Aragon) before the 12th century, where “a small number of powerful barons elected their sovereign on every vacancy, though, as usual in other countries, out of one family.”

That stability of political headship is secured by establishment of descent in the male line, is, of course, not alleged. The allegation simply is that succession after this mode conduces better than any other to its stability. Of probable reasons for this, one is that in the patriarchal group, as developed among those pastoral races from which the leading civilized peoples have descended, the sentiment of subordination to the eldest male, fostered by circumstances in the family and in the gens, becomes instrumental to a wider subordination in the larger groups eventually formed. Another probable reason is, that with descent in the male line there is

or chief Rajah of that clan. The dignity is not hereditary as is the case with the minor rajaships but is enjoyed by each Rajah of the clan in rotation.

So has it been in Europe. Though by the early Greeks hereditary right was in a considerable measure recognized yet the case of Telemachus implies "that a practice, either approaching to election or in some way involving a voluntary action on the part of the subjects or of a portion of them had to be gone through." The like is true of ancient Rome. That its monarchy was elective "is proved by the existence in later times of an office of *interrex* which implies that the kingly power did not devolve naturally upon a hereditary successor." Later on it was thus with Western peoples. Up to the beginning of the tenth century "the formality of election subsisted in every European kingdom and the imperfect right of birth required a ratification by public assent." And it was once thus with ourselves. Among the early English the Bretwalldship or supreme headship over the minor kingdoms was at first elective and the form of election continued long traceable in our history. Moreover it is observable that the change to hereditary succession is by assent as in France. The first six kings of this dynasty [the Capetian] procured the co-optation of their sons by having them crowned during their own lives. And thus was

tinuously-inherited malformation Europe of the Merovingian period yields an example In pagan times the king's race had an alleged divine origin, but in Christian times, says Waitz, when they could no longer mount back to the gods, a more than natural origin was alleged "a sea-monster ravished the wife of Chlogio as she sat by the sea-shore, and from this embrace Merovech sprang" Later days show us the gradual acquisition of a sacred or semi-supernatural character, where it did not originally exist Divine assent to their supremacy was asserted by the Carolingian kings During the later feudal age, rare exceptions apart, kings "were not far removed from believing themselves near relatives of the masters of heaven Kings and gods were colleagues" In the 17th century this belief was endorsed by civilians Kings, says Bossuet, "are gods, and share in a manner the divine independence"

So that the headship of a compound group, arising temporarily during war, then becoming, with frequent cooperation of the groups, settled for life by election, passing presently into the hereditary form, and gaining permanence as fast as the law of succession grows well-defined and undisputed, acquires its greatest stability only when the king is regarded as a deputy god, or when, if he is not supposed to inherit a divine nature, he is supposed to have a divine commission

§ 479 Ascribed divine nature, or divine descent, or divine commission, naturally gives to the political head unlimited sway In theory, and often to a large extent in practice, he is owner of his subjects and of the territory they occupy

Where militancy is pronounced, and the claims of a conqueror unqualified, it is indeed to a considerable degree thus with those uncivilized peoples who do not ascribe supernatural characters to their rulers Among the Zulu Kaffirs the chief "exercises supreme power over the lives of his people," the Bheel chiefs "have a power over the lives and property of their own subjects," and in Fiji the subject is

racterized by diffused patriarchal despotism. Only among modern peoples whose ancestors passed through the discipline given under this social form and who have inherited its effects is civilization being dissociated from subjection to individual will.

The necessity there has been for absolutism is best seen on observing that during inter tribal and inter national conflicts those have conquered who other things equal were the more obedient to their chiefs and kings. And since in early stages military subordination and social subordination go together it results that for a long time the conquering societies continued to be the despotically-governed societies. Such exceptions as histories appear to show us really prove the rule. In the conflict between Persia and Greece the Greeks but for a mere accident would have been ruined by that division of councils which results from absence of subjection to a single head. And their habit of appointing a dictator when in great danger from enemies implies that the Romans had discovered that efficiency in war requires undivided control.

monly acquired by superiority of strength, or courage, or sagacity, or possessions, or the experience accompanying age

In such groups, and in tribes somewhat more advanced, two kinds of superiority conduce more than all others to predominance—that of the warrior and that of the medicine-man. Usually separate, but sometimes united in the same person, and then greatly strengthening him, both of these superiorities tending to initiate political headship, continue thereafter to be important factors in developing it

At first, however, the supremacy acquired by great natural power, or supposed supernatural power, or both, is transitory—ceases with the life of one who has acquired it. So long as the principle of efficiency alone operates, political headship does not become settled. It becomes settled only when there cooperates the principle of inheritance

The custom of reckoning descent through females, which characterizes many rude societies and survives in others that have made considerable advances, is less favourable to establishment of permanent political headship than is the custom of reckoning descent through males, and in sundry semi-civilized societies distinguished by permanent political headships, inheritance through males has been established in the ruling house while inheritance through females survives in the society at large

Beyond the fact that reckoning descent through males conduces to a more coherent family, to a greater culture of subordination, and to a more probable union of inherited position with inherited capacity, there is the more important fact that it fosters ancestor-worship, and the consequent reinforcing of natural authority by supernatural authority. Development of the ghost-theory, leading as it does to special fear of the ghosts of powerful men, until, where many tribes have been welded together by a conqueror, his ghost acquires in tradition the pre-eminence of a god, produces two effects. In the first place his descendant, ruling after him, is supposed to partake of his divine nature, and in the second place, by

tinaciously resist are those who remaining unsubdued and transmitting their mental traits to posterity determine the character of the race.

Having thus glanced at the effects of the factors external and internal as displayed in simple tribes we shall understand how they cooperate when, by migration or otherwise such tribes fall into circumstances favouring the growth of large societies.

§ 484. The case of an uncivilized people of the nature described who have in recent times shown what occurs when union of small groups into great ones is prompted will best initiate the interpretation

The Iroquois nations each made up of many tribes previously hostile had to defend themselves against European invaders. Combination for this purpose among these five (and finally six) nations necessitated a recognition of equality among them since agreement to join would not have been arrived at had it been required that some divisions should be subject to others. The groups had to cooperate on the understanding that their "rights privileges and obligations" should be the same. Though the numbers of permanent and hereditary sachems appointed by the respective nations to form the Great Council, differed yet the voices of the several nations were equal. Omitting details of the organization we have to note first that for many generations notwithstanding the wars which this league carried on its constitution remained stable—no supreme individual arose and second that this equality among the powers of the groups co-existed with inequality within each group the people had no share in its government.

A clue is thus furnished to the genesis of those compound heads with which ancient history familiarizes us. We are enabled to see how there came to co-exist in the same societies, some institutions of a despotic kind with other institutions of a kind appearing to be based on the principle of

equality, and often confounded with free institutions. Let us recall the antecedents of those early European peoples who developed governments of this form.

During the wandering pastoral life, subordination to a single head was made habitual. A recalcitrant member of any group had either to submit to the authority under which he had grown up, or, rebelling, had to leave the group and face those risks which unprotected life in the wilderness threatened. The establishment of this subordination was furthered by the more frequent survival of groups in which it was greatest, since, in the conflicts between groups, those of which the members were insubordinate, ordinarily being both smaller and less able to cooperate effectually, were the more likely to disappear. But now to the fact that in such families and clans, obedience to the father and to the patriarch was fostered by circumstances, has to be added the fact above emphasized, that circumstances also fostered the sentiment of liberty in the relations between clans. The exercise of power by one of them over another, was made difficult by wide scattering and by great mobility, and with successful opposition to external coercion, or evasion of it, carried on through numberless generations, the tendency to resent and resist all strange authority was likely to become strong.

Whether, when groups thus disciplined aggregate, they assume this or that form of political organization, depends partly, as already implied, on the conditions into which they fall. Even could we omit those differences between Mongols, Semites, and Aryans, established in prehistoric times by causes unknown to us, or even had complete likeness of nature been produced among them by long-continued pastoral life, yet large societies formed by combinations of their small hordes, could be similar in type only under similar circumstances. In unfavourableness of circumstances is to be found the reason why Mongols and Semites, where they have settled and multiplied, have failed to maintain the autonomies of their hordes after combination of them, and to

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The oldest Roman patricians bore the names of rural clans belonging to these cantons. Whether when seating themselves on the Palatine hills and on the Quirinal, they preserved their cantonal divisions is not clear though it seems probable *a priori*. But however this may be there is proof that they fortified themselves against one another as well as against outer enemies. The "mount-men" of the Palatine and the "hill-men" of the Quirinal were habitually at feud and even among the minor divisions of those who occupied the Palatine, there were dissensions. As Mommsen says, primitive Rome was "rather an aggregate of urban settlements than a single city." And that the clans who formed these settlements brought with them their enmities is to be inferred from the fact that not only did they fortify the hills on which they fixed themselves, but even "the houses of the old and powerful families were constructed somewhat after the manner of fortresses."

So that again in the case of Rome we see a cluster of small independent communities allied in blood but partially antagonistic which had to cooperate against enemies on such terms as all would agree to. In early Greece the means of defence were as Grote remarks, greater than the means of attack and it was the same in early Rome. Hence while coercive rule within the family and the group of related families was easy there was difficulty in extending coercion over many such groups fortified as they were against one another. Moreover the stringency of government within each of the communities constituting the primitive city was diminished by facility of escape from one and admission into another. As we have seen among simple tribes desertions take place when the rule is harsh and we may infer that in primitive Rome there was a check on exercise of force by the more powerful families in each settlement over the less powerful caused by the fear that migration might weaken the settlement and strengthen an adjacent one. Thus the circumstances were such that when, for defence of the city co-

operation became needful, the heads of the clans included in its several divisions came to have substantially equal powers. The original senate was the collective body of clan-elders, and "this assembly of elders was the ultimate holder of the ruling power" it was "an assembly of kings." At the same time, the heads of families in each clan, forming the body of burgesses, stood, for like reasons, on equal footing. Primarily for command in war, there was an elected head, who was also chief magistrate. Though not having the authority given by alleged divine descent, he had the authority given by supposed divine approval, and, himself bearing the insignia of a god, he retained till death the absoluteness appropriate to one. But besides the fact that the choice, originally made by the senate, had to be again practically made by it in case of sudden vacancy, and besides the fact that each king, nominated by his predecessor, had to be approved by the assembled burgesses, there is the fact that the king's power was executive only. The assembly of burgesses "was in law superior to, rather than co-ordinate with, the king." Further, in the last resort was exercised the supreme power of the senate, which was the guardian of the law and could veto the joint decision of king and burgesses. Thus the constitution was in essence an oligarchy of heads of clans, included in an oligarchy of heads of houses—a compound oligarchy which became unqualified when kingship was suppressed. And here should be emphasized the truth, sufficiently obvious and yet continually ignored, that the Roman Republic which remained when the regal power ended, differed utterly in nature from those popular governments with which it has been commonly classed. The heads of clans, of whom the narrower governing body was formed, as well as the heads of families who formed the wider governing body, were, indeed, jealous of one another's powers, and in so far simulated the citizens of a free state who individually maintain their equal rights. But these heads severally exercised unlimited powers over the members of their house-

forming them. And though Sismondi says of the townspeople— *ils cherchèrent à se constituer sur le modèle de la république romaine* "yet we may question whether in those dark days the people knew enough of Roman institutions to be influenced by their knowledge. With more probability may we infer that "this meeting of all the men of the state capable of bearing arms in the great square," originally called to take measures for repelling aggressors—a meeting which must at the very outset have been swayed by a group of dominant citizens and must have chosen leaders, was itself the republican government in its incipient state. Meetings of this kind, first held on occasions of emergency would gradually come into use for deciding all important public questions. Repetition would bring greater regularity in the modes of procedure, and greater definiteness in the divisions formed ending in compound political heads, presided over by elected chiefs. And that this was the case in those early stages of which there remain but vague accounts is shown by the fact that a similar though somewhat more definite process afterwards occurred at Florence when the usurping nobles were overthrown. Records tell us that in 1250 "the citizens assembled at the same moment in the square of Santa Croce they divided themselves into fifty groups of which each group chose a captain and thus formed companies of militia a council of these officers was the first-born authority of this newly revived republic." Clearly that sovereignty of the people which for a time characterized these small governments would inevitably arise if the political form grew out of the original public meeting while it would be unlikely to have arisen had the political form been artificially devised by a limited class.

That this interpretation harmonizes with the facts which modern times have furnished scarcely needs pointing out. On an immensely larger scale and in ways variously modified here by the slow collapse of an old *régime* and there by combination for war the rise of the first French Republic and of

the American Republic have similarly shown us this tendency towards resumption of the primitive form of political organization, when a decayed or otherwise incapable government collapses. Obscured by complicating circumstances and special incidents as these transformations were, we may recognize in them the play of the same general causes.

§ 488 In the last chapter we saw that, as conditions determine, the first element of the tri-une political structure may be differentiated from the second in various degrees—beginning with the warrior-chief, slightly predominant over other warriors, and ending with the divine and absolute king widely distinguished from the select few next to him. By the foregoing examples we are shown that the second element is, as conditions determine, variously differentiated from the third—being at the one extreme qualitatively distinguished in a high degree and divided from it by an impassable barrier, and at the other extreme almost merged into it.

Here we are introduced to the truth next to be dealt with; that not only do conditions determine the various forms which compound heads assume, but that conditions determine the various changes they undergo. There are two leading kinds of such changes—those through which the compound head passes towards a less popular form, and those through which it passes towards a more popular form. We will glance at them in this order.

Progressive narrowing of the compound head is one of the concomitants of continued military activity. Setting out with the case of Sparta, the constitution of which in its early form differed but little from that which the *Iliad* shows us existed among the Homeric Greeks, we first see the tendency towards concentration of power, in the regulation, made a century after Lykurgus, that “in case the people decided crookedly, the senate with the kings should reverse their decisions,” and then we see that later, in consequence of the gravitation of property into fewer hands, “the number

The Italian Republics of later days again show us in numerous cases, this connexion between trading activities and a freer form of rule. The towns were industrial centres.

"The merchants of Genoa, Pisa, Florence, and Venice supplied Europe with the products of the Mediterranean and of the East the bankers of Lombardy instructed the world in the mysteries of finance, and foreign exchanges Italian artificers taught the workmen of other countries the highest skill in the manufactures of steel iron, bronze, silk, glass, porcelain and jewelry Italian shops, with their dazzling array of luxuries, excited the admiration and envy of foreigners from less favoured lands."

Then on looking into their histories we find that industrial guilds were the bases of their political organizations that the upper mercantile classes became the rulers in some cases excluding the nobles and that while external wars and internal feuds tended continually to revive narrower or more personal, forms of rule, rebellions of the industrial citizens occasionally happening tended to re-establish popular rule.

When we join with these the like general connexions that arose in the Netherlands and in the Hanse towns—when we remember the liberalization of our own political institutions which has gone along with growing industrialism—when we observe that the towns more than the country and the great industrial centres more than the small ones have given the impulses to these changes, it becomes unquestionable that while by increase of militant activities compound headships are narrowed they are widened in proportion as industrial activities become predominant.

§ 489 In common with the results reached in preceding chapters the results above reached show that types of political organization are not matters of deliberate choice. It is common to speak of a society as though it had once upon a time decided on the form of government which thereafter existed in it. Even Mr Grote in his comparison between the institutions of ancient Greece and those of medieval Europe (vol. iii. pp 10—12) tacitly implies that conceptions of the

says he is to be considered as trustee for the group still his trusteeship joins with his military headship in giving him supremacy. At a later stage, when lands come to be occupied by settled families and communities, and land-ownership gains definiteness, this union of traits in each head of a group becomes more marked, and as was shown when treating of the differentiation of nobles from freemen several influences conspire to give the eldest son of the eldest, superiority in extent of landed possessions as well as in degree of power. Nor is this fundamental relation changed when a nobility of service replaces a nobility of birth, and when, as presently happens the adherents of a conquering invader are rewarded by portions of the subjugated territory. Throughout, the tendency continues to be for the class of military superiors to be identical with the class of large landowners.

It follows then that beginning with the assemblage of armed freemen all of them holding land individually or in groups, whose council of leaders deliberating in presence of the rest, are distinguished only as being the most capable warriors there will, through frequent wars and progressing consolidations, be produced a state in which this council of leaders becomes farther distinguished by the greater estates, and consequent greater powers of its members. Becoming more and more contrasted with the armed freemen at large the consultative body will tend gradually to subordinate it, and eventually separating itself will acquire independence.

The growth of this temporary council of war in which the king acting as general, summons to give their advice the leaders of his forces into the permanent consultative body in which the king, in his capacity of ruler presides over the deliberations of the same men on public affairs at large is exemplified in various parts of the world. The consultative body is everywhere composed of minor chiefs or heads of clans or feudal lords in whom the military and civil rule of local groups is habitually joined with wide possessions, and

the examples frequently exhibit this composition on both a small and a large scale—both locally and generally. A

rude and early form of the arrangement is shown in Africa.

We read of the Kafirs that “every chief chooses from among his most wealthy subjects five or six, who act as counsellors to him.”

The great council of the king is composed of the chiefs of particular kraals.” A Bechuana tribe “generally includes a number of towns or villages, each having its

distinct head, under whom there are a number of subordinate chiefs,” who “all acknowledge the supremacy of the principal

one. His power, though very great, and in some instances despotic, is nevertheless controlled by the minor chiefs, who

in their *nychos* or *putshos*, their parliament, or public meetings, use the greatest plainness of speech in exposing what they

consider culpable or lax in his government.” Of the Wanyamwezi, Burton says that the Sultan is “surrounded by a

council varying from two to a score of chiefs and elders. His authority is circumscribed by a rude balance of power,

the chiefs around him can probably bring as many warriors into the field as he can.” Similarly in Ashantee “The

caboceers and captains claim to be heard on all questions relating to war and foreign politics. Such matters

are considered in a general assembly, and the king sometimes finds it prudent to yield to the views and urgent representations

of the majority.” From the ancient American states, too, instances may be cited. In Mexico “general

assemblies were presided over by the king” every eighty days “They came to these meetings from all parts of the country,”

and then we read, further, that the highest rank of nobility, the Teuctli, “took precedence of all others in the senate,

both in the order of sitting and voting.” showing what was the composition of the senate. It was so, too, with the

Central Americans of Vera Paz. “Though the supreme rule was exercised by a king, there were inferior lords as his

coadjutors, who mostly were titled lords and vassals, they formed the royal council . . . and joined the king in his

rarely or never occur occasions on which the king has to be elected by the chief men so that they have no opportunity of choosing one who will conform to their wishes they are further debarred from maintaining any authority. Hence habitually we do not find consultative bodies having an independent *status* in the despotically-governed countries of the East ancient or modern. Though we read of the Egyptian king that "he appears to have been attended in war by the council of the thirty composed apparently of privy councillors scribes and high officers of State" the implication is that the members of this council were functionaries having such powers only as the king deputed to them. Similarly in Babylonia and Assyria, attendants and others who performed the duties of ministers and advisers to the god-descended rulers did not form established assemblies for deliberative purposes. In ancient Persia, too there was a like condition. The hereditary king almost sacred and bearing extravagant titles though subject to some check from princes and nobles of royal blood who were leaders of the army and who tendered advice, was not under the restraint of a constituted body of them. Throughout the history of Japan down to our own time a kindred state of things existed. The Daimios were required to reside in the capital during prescribed intervals as a precaution against insubordination but they were never while there, called together to take any share in the government. So too is it in China. We are told that although there is nominally no deliberative or advisory body in the Chinese government and nothing really analogous to a congress, parliament or *tiers état*, still necessity compels the emperor to consult and advise with some of his officers." Nor does Europe fail to yield us evidence of like meaning. I do not refer only to the case of Russia but more especially to the case of France during the time when monarchy had assumed an absolute form. In the age when divines like Bossuet taught that the king is accountable to no one the whole state is in him and the will

blies. But little as is known of them, the inference is tolerably safe that these were but distantly allied in genesis and position to the bodies we now distinguish as representative. Nor are we concerned with those senates and councils elected by different divisions of a town population (such as were variously formed in the Italian republics) which served simply as agents whose doings were subject to the directly expressed approval or disapproval of the assembled citizenry. Here we must limit ourselves to that kind of representative body which arises in communities occupying areas so large that their members are obliged to exercise by deputy such powers as they possess, and, further we have to deal exclusively with cases in which the assembled deputies do not replace pre-existing political agencies but cooperate with them.

It will be well to set out by observing, more distinctly than we have hitherto done, what part of the primitive political structure it is from which the representative body, as thus conceived, originates.

§ 497 Broadly this question is tacitly answered by the contents of preceding chapters. For if on occasions of public deliberation the primitive horde spontaneously divides into the inferior many and the superior few among whom some one is most influential and if in the course of that compounding and re-compounding of groups which war brings about the recognized war-chief develops into the king, while the superior few become the consultative body formed of minor military leaders it follows that any third co-ordinate political power must be either the mass of the inferior itself or else some agency acting on its behalf. Truism though this may be called it is needful here to set it down, since before inquiring under what circumstances the growth of a representative system follows the growth of popular power we have to recognize the relation between the two.

The undistinguished mass retaining a latent supremacy in

simple societies not yet politically organized, though it is brought under restraint as fast as war establishes obedience, and conquests produce class-differentiations, tends, when occasion permits, to re-assert itself. The sentiments and beliefs, organized and transmitted, which, during certain stages of social evolution, lead the many to submit to the few, come, under some circumstances, to be traversed by other sentiments and beliefs. Passing references have been in several places made to these. Here we must consider them *seriatim* and more at length.

One factor in the development of the patriarchal group during the pastoral stage, was shown to be the fostering of subordination to its head by war, since, continually, there survived the groups in which subordination was greatest. But if so, the implication is that, conversely, cessation of war tends to diminish subordination. Members of the compound family, originally living together and fighting together, become less strongly bound in proportion as they have less frequently to cooperate for joint defence under their head. Hence, the more peaceful the state the more independent become the multiplying divisions forming the gens, the phratry, and the tribe. With progress of industrial life arises greater freedom of action—especially among the distantly-related members of the group.

So must it be, too, in a feudally-governed assemblage. While standing quarrels with neighbours are ever leading to local battles—while bodies of men-at-arms are kept ready, and vassals are from time to time summoned to fight—while, as a concomitant of military service, acts of homage are insisted upon, there is maintained a regimental subjection running through the group. But as fast as aggressions and counter-aggressions become less frequent, the carrying of arms becomes less needful, there is less occasion for periodic expressions of fealty, and there is an increase of daily actions performed without direction of a superior, whence a fostering of individuality of character.

grew into prosperous towns, had been formed of serfs and artisans to whom various privileges including those of self government, were given by royal charter. With which examples must be joined the example familiar to all. For in England it was during the struggle between king and barons, when the factions were nearly balanced, and when the town populations had been by trade so far increased that their aid was important, that they came to play a noticeable part first as allies in war and afterwards as sharers in government. It cannot be denied that when summoned to the parliament of 1265 not only knights of the shire but also deputies from cities and boroughs Simon of Montfort was prompted by the desire to strengthen himself against the royal party supported by the Pope. And whether he sought thus to increase his adherents or to obtain larger pecuniary means, or both, the implication equally is that the urban populations had become a relatively important part of the nation. This interpretation harmonizes with subsequent events. For though the representation of towns afterwards lapsed yet it shortly revived and in 1295 became established. As Hume remarks such an institution could not have attained to so vigorous a growth and have flourished in the midst of such tempests and convulsions, "unless it had been one, "for which the general state of things had already prepared the nation " the truth here to be added being that this "general state of things" was the augmented mass and hence augmented influence of the free industrial communities.

Confirmation is supplied by cases showing that power gained by the people during times when the regal and aristocratic powers are diminished by dissension is lost again if while the old organization recovers its stability and activity industrial growth does not make proportionate progress. Spain or more strictly Castile, yields an example. Such share in government as was acquired by those industrial communities which grew up during the colonization of the waste lands, became in the space of a few reigns characterized

by successful wars and resulting consolidations, scarcely more than nominal

§ 499. It is instructive to note how that primary incentive to cooperation which initiates social union at large, continues afterwards to initiate special unions within the general union. For just as external militancy sets up and carries on the organization of the whole, so does internal militancy set up and carry on the organization of the parts, even when those parts, industrial in their activities, are intrinsically non-militant. On looking into their histories we find that the increasing clusters of people who, forming towns, lead lives essentially distinguished by continuous exchange of services under agreement, develop their governmental structures during their chronic antagonisms with the surrounding militant clusters.

We see, first, that these settlements of traders, growing important and obtaining royal charters, were by doing this placed in quasi-militant positions—became in modified ways holders of fiefs from their king, and had the associated responsibilities. Habitually they paid dues of sundry kinds equivalent in general nature to those paid by feudal tenants, and, like them, they were hable to military service. In Spanish chartered towns “this was absolutely due from every inhabitant,” and “every man of a certain property was bound to serve on horseback” or pay a fixed sum. In France “in the charters of incorporation which towns received, the number of troops required was usually expressed.” And in the chartered royal burghs of Scotland “every burghess was a direct vassal of the crown.”

Next observe that industrial towns (usually formed by coalescence of pre-existing rural divisions rendered populous because local circumstances favoured some form of trade, and presently becoming places of hiding for fugitives, and of security for escaped serfs) began to stand toward the small feudally-governed groups around them, in relations like those

assemblies of nobles and representatives summoned by the king, there re-appeared, on a higher platform, these simultaneous demands for money on the one side and for justice on the other. We may assume it as certain that with an average humanity, the conflicting egoisms of those concerned will be the main factors, and that on each side the aim will be to give as little and get as much, as circumstances allow. France, Spain, and England yield examples which unite in showing this.

When Charles V of France, in 1357 dismissing the States general for alleged encroachments on his rights, raised money by further debasing the coinage and caused a sedition in Paris which endangered his life, there was three months later a re-convocation of the States in which the petitions of the former assembly were acceded to while a subsidy for war purposes was voted. And of an assembled States-general in 1306 Hallam writes — "The necessity of restoring the coin is strongly represented as the grand condition upon which they consented to tax the people, who had been long defrauded by the base money of Philip the Fair and his successors." Again, in Spain, the incorporated towns made liable by their charters only for certain payments and services, had continually to resist unauthorized demands while the kings continually promising not to take more than their legal and customary dues were continually breaking their promises. In 1328 Alfonso X. "bound himself not to exact from his people, or cause them to pay any tax either partial or general not hitherto established by law without the previous grant of all the deputies convened by the Cortes." And how little such pledges were kept is shown by the fact that, in 1393 the Cortes who made a grant to Henry III., joined the condition that— "He should swear before one of the archbishops not to take or demand any money service or loan, or anything else, of the cities and towns, nor of individuals belonging to them on any pretence of necessity until the three estates of the kingdom should first be duly summoned and assembled in cortes according to ancient usage."

Similarly in England during the time when parliamentary

power was being established. While, with national consolidation, the royal authority had been approaching to absoluteness, there had been, by reaction, arising that resistance which, resulting in the Great Charter, subsequently initiated the prolonged struggle between the king, trying to break through its restraints, and his subjects trying to maintain and to strengthen them. The twelfth article of the Charter having promised that no scutage or aid save those which were established should be imposed without consent of the national council, there perpetually recurred, both before and after the expansion of Parliament, endeavours on the king's part to get supplies without redressing grievances, and endeavours on the part of Parliament to make the voting of supplies contingent on fulfilment of promises to redress grievances.

On the issue of this struggle depended the establishment of popular power, as we are shown by comparing the histories of the French and Spanish Parliaments with that of the English Parliament. Quotations above given prove that the Cortes originally established, and for a time maintained, the right to comply with or to refuse the king's requests for money, and to impose their conditions, but they eventually failed to get their conditions fulfilled.

"In the struggling condition of Spanish liberty under Charles I, the crown began to neglect answering the petitions of cortes, or to use unsatisfactory generalities of expression. This gave rise to many remonstrances. The deputies insisted in 1523 on having answers before they granted money. They repeated the same contention in 1525, and obtained a general law inserted in the *Recopilacion* enacting that the king should answer all their petitions before he dissolved the assembly. This, however, was disregarded as before."

And thereafter rapidly went on the decay of parliamentary power. Different in form but the same in nature, was the change which occurred in France. Having at one time, as shown above, made the granting of money conditional on the obtainment of justice, the States-general was induced to surrender its restraining powers. Charles VII —

"obtained from the States of the royal domains which met in 1439 that

CHAPTER X.

MINISTRIES

§ 504. Men chosen by the ruler to help him we meet with in early stages of social evolution—men whose positions and duties are then vague and variable. At the outset there is nothing to determine the selection of helpers save considerations of safety or convenience or liking. Hence we find ministers of quite different origins.

Relationship leads to the choice in some places and times, as with the Bachassins among whom the chief's brother conveys his orders and sees them executed, as of old in Japan where the Emperor's son was prime minister and the daimios had cadets of their families as counsellors as in ancient Egypt where "the principal officers of the Court or administration appear to have been at the earliest period the relatives" of the king. Though in some cases family jealousy excludes kinsmen from these places of authority, in other cases family feeling and trust and the belief that the desire for family predominance will ensure loyalty lead to the employment of brothers, cousins, nephews, &c.

More general appears to be the unobtrusive growth of personal attendants or household servants into servants of State. Those who are constantly in contact with the ruler have opportunities of aiding or hindering intercourse with him of biasing him by their statements and of helping or unhelping the execution of his commands and they thus gain power and tend to become advising and executive

agents From the earliest times onwards we meet with illustrations In ancient Egypt—

“The office of fan-bearer to the king was a highly honourable post, which none but the royal princes, or the sons of the first nobility, were permitted to hold These constituted a principal part of his staff, and in the field they either attended on the monarch to receive his orders, or were despatched to take the command of a division”

In Assyria the attendants who thus rose to power were not relatives, but were habitually eunuchs, and the like happened in Persia “In the later times, the eunuchs acquired a vast political authority, and appear to have then filled all the chief offices of state They were the king’s advisers in the palace, and his generals in the field” Kindred illustrations are furnished by the West Shown among the primitive Germans, the tendency for officers of the king’s household to become political officers, was conspicuous in the Merovingian period. the seneschal, the marshal, the chamberlain, grew into public functionaries Down to the later feudal period in France, the public and household administrations of the king were still undistinguished So was it in old English times According to Kemble, the four great officers of the Court and Household were the Hægel Thegn (servant of the wardrobe), the Steallere and Hoisthegn (first, Master of the Horse, then General of the Household Troops, then Constable or Grand Marshal), the Discethegn (or thane of the table—afterwards Seneschal), the Butler (perhaps Byrlele or Scenca) The like held under the conquering Normans, and it holds in a measure down to the present time

Besides relatives and servants, friends are naturally in some cases fixed on by the ruler to get him information, give him advice, and carry out his orders Among ancient examples the Hebrews furnish one Remarking that in the small kingdoms around Israel in earlier times, it was customary for the ruler to have a single friend to aid him, Ewald points out that under David, with a larger State and a more complex administration, “the different departments are necessarily more subdivided, and new offices of ‘friends’ or ministers of the

type. But while results neither definite nor important are likely to be reached the reaching of such as are promised would necessitate investigation at once tedious and unsatisfactory.

For such ends as are here in view it suffices to recognize the general facts above set forth. As the political head is at first but a slightly-distinguished member of the group—now a chief whose private life and resources are like those of any other warrior now a patriarch or a feudal lord who becoming predominant over other patriarchs or other feudal lords at first lives like them on revenues derived from private possessions—so the assistants of the political head take their rise from the personal connexions, friends, servants around him they are those who stand to him in private relations of blood, or liking, or service. With the extension of territory the increase of affairs and the growth of classes having special interests there come into play influences which differentiate some of those who surround the ruler into public functionaries distinguished from members of his family and his household. And these influences, joined with special circumstances, determine the kinds of public men who come into power. Where the absoluteness of the political head is little or not at all restrained he makes arbitrary choice irrespective of rank occupation or origin. If being predominant there are nevertheless classes of whom he is jealous exclusion of these becomes his policy, while if his predominance is inadequate representatives of such classes are forced into office. And thus foreshadows the system under which along with decline of monarchical power there grows up an incorporated body of ministers having for its recognized function to execute the public will.

CHAPTER XI.

LOCAL GOVERNING AGEN

§ 507 This title is needed because the subjects here dealt with, cover a wider area than is covered under the title "Local Governments"

We have to deal with two kinds of authority, the originally one but gradually becoming differentiated among peoples characterized by the transmission of property and power through females, and among peoples characterized by the transmission of property and power through males, the latter based on blood-relationship is liable to be superseded by a regulative system originating in a central leadership. Authority established by tradition unfrequently comes into conflict with authority established by the law of succession, when this has become dominant and initiates a differentiation of political authority and leadership. We have seen that, from primitive times, the principle of efficiency and the principle of heredity both at work in determining men's social position. As happens in many cases, a war-chief is superseded on occasion arises, notwithstanding the existing acknowledged legitimacy, there is a tendency for power to be over-ridden by power derived from efficiency. From the beginning, then, there is apt to be a government distinct from family-government.

under King John the central government was liberalized, towns acquired the power to elect their own magistrates. Conversely when at the Restoration monarchical power increased, there was a framing of the "municipalities on a more oligarchical model." And then comes the familiar case of the kindred liberalizations of the central government and the local governments which have occurred in our own time.

§ 511 From those local governing agencies which have acquired a political character we turn now to those which have retained the primitive family character. Though with the massing of groups political organization and rule become separate from, and predominant over family-organization and rule locally as well as generally yet family organization and rule do not disappear but in some cases retaining their original nature in some cases give origin to other local organizations of a governmental kind. Let us first note how wide-spread is the presence of the family-cluster considered as a component of the political society.

Among the uncivilized Bedouins we see it existing separately "every large family with its relations constituting a small tribe in itself." But, says Palgrave, "though the clan and the family form the basis and are the ultimate expression of the civilized Arab society they do not as is the case among the Bedouins sum it up altogether." That is political union has left outstanding the family-organization but has added something to it. And it was thus with Semitic societies of early days as those of the Hebrews. Everywhere it has been thus with the Aryans.

"It [the Irish Sept] is a body of kinsmen whose progenitor is no longer living but whose descent from him is a reality. An association of this sort is well known to the law of India as the Joint Undivided Family. The family thus formed by the continuance of several generations in union is identical in outline with a group very familiar to the students of the older Roman law—the *Agnatic Kindred*.

Not only where descent in the male line has been established,

but also where the system of descent through females continues, this development of the family into gens, phratry, and tribe, is found. It was so with such ancient American peoples, as those of Yucatan, where, within each town, tribal divisions were maintained, and, according to Mr. Morgan and Major Powell, it is still so with such American tribes as the Iroquois and the Wvandottes.

After its inclusion in a political aggregate, as before its inclusion, the family-group evolves a government *quasi-political* in nature. According to the type of race and the system of descent this family-government may be, as among ancient Semites and Aryans, an unqualified patriarchal despotism, or it may be, as among the Hindoos at present, a personal rule arising by selection of a head from the leading family of the group (a selection usually falling on the eldest), or it may be, as in American tribes like those mentioned, the government of an elected council of the gens, which elects its chief. That is to say, the *timne* structure which tends to arise in any incorporated assembly, is traceable in the compound family-group, as in the political group, the respective components of it being variously developed according to the nature of the people and the conditions.

The government of each aggregate of kinsmen repeats, on a small scale, functions like those of the government of the political aggregate. As the entire society revenges itself on other such societies for injury to its members, so does the family-cluster revenge itself on other family-clusters included in the same society. This fact is too familiar to need illustration, but it may be pointed out that even now, in parts of Europe where the family-organization survives, the family vendettas persist. "L'Albanais vous dira fioidement . . . Akeni-Dgiak? avez-vous du sang à venger dans votre famille," and then, asking the name of your tribe, he puts his hand on his pistol. With this obligation to take vengeance goes, of course, reciprocal responsibility. The family in all its branches is liable as a whole, and in each part, for the

dressers." Then of the Greeks, Hermann tell us that various arts and professions were—

"peculiar to certain families, whose claims to an exclusive exercise of them generally ascended to a fabulous origin. We moreover find pupil and son for many successive generations designated by the same term, and closely connected with the exclusiveness and monopoly of many professions is the little respect in which they were, in some instances, held by the rest of the people, a circumstance which Greek authors themselves compare with the prejudice of caste prevalent among other nations."

China, as at present existing, yields evidence —

"The popular associations in cities and towns are chiefly based upon a community of interests, resulting either from a similarity of occupation, when the leading persons of the same calling form themselves into guilds, or from the municipal regulations requiring the householders living in the same street to unite to maintain a police, and keep the peace of their division. Each guild has an assembly hall, where its members meet to hold the festival of their patron saint.

And as I learn from the Japanese minister a kindred state of things once existed in Japan. Children habitually followed the occupations of their parents in course of generations there resulted clusters of relatives engaged in the same trade and these clusters developed regulative arrangements within themselves. Whether the fact that in Japan as in the East generally the clustering of traders of one kind in the same street arises from the original clustering of the similarly occupied kindred I find no evidence but since, in early times mutual protection of the members of a trading kindred, as of other kindred was needful, this seems probable. Further evidence of like meaning may be disentangled from the involved phenomena of caste in India. In No CXLII of the *Calcutta Review* in an interesting essay by Jogendra Chandra Chosh, caste is regarded as "a natural development of the Indian village-communities" as "distinguished not only by the autonomy of each guild" "but by the mutual relations between these autonomous guilds" and as being so internally organized that caste government does not recognize the finding or the verdict of any court other than

what forms part of itself" In answer to my inquiries, the writer of this essay has given me a mass of detailed information, from which I extract the following —

"A Hindoo joint family signifies (1) that the members all mess together; (2) and live in the same house, (3) that the male members and unmarried girls are descended from a common ancestor, and (4) that the male members put their incomes together. The integral character of the family is destroyed when the joint mess and common purse cease to exist. However, the branches thus disunited continue to observe certain close relations as *gnatis* up to some seven or fourteen generations from the common ancestor. Beyond that limit they are said to be merely of the same *gotra*."

Passing over the detailed constitution of a caste as consisting of many such *gotras*, and of the groups produced by their intermarriages under restrictions of exogamy of the *gotras* and endogamy of the caste—passing over the feasts, sacrificial and other, held among members of the joint family when their groups have separated, I turn to the facts of chief significance. Though, under English rule, inheritance of occupation is no longer so rigorous, yet—

"the principle is universally recognized that every caste is bound to follow a particular occupation and no other. The partition of the land, or the house as well, is governed by the law of equal succession, and as fresh branches set up new houses, they are found all clustered together, with the smallest space between them for roadway. But when, as in *bazaars*, men take up houses for commercial purposes, the clustering is governed either by family and caste-relations, or by common avocations [which imply some caste-kinship] and facility of finding customers."

In which facts we may see pretty clearly that were there none of the complications consequent on the intermarriage regulations, there would simply result groups united by occupation as well as by ancestry, clustering together, and having their internal governments.

Returning from consideration of these facts supplied by other societies, let us now observe how numerous are the reasons for concluding that the guild, familiar to us as a union of similarly-occupied workers, was originally a union of kindred. In the primitive compound family there was

headship continued warfare is apt to cause a re-identification of them

As societies become compounded and re-compounded, coincidence of military authority with political authority is shown in detail as well as in general—in the parts as in the whole. The minor war-chiefs are also minor civil rulers in their several localities and the commanding of their respective groups of soldiers in the field, is of like nature with the governing of their respective groups of dependents at home.

Once more, there is the general fact that the economic organizations of primitive communities coincide with their military organizations. In savage tribes war and hunting are carried on by the same men while their wives (and their slaves where they have any) do the drudgery of domestic life. And, similarly in rude societies that have become settled the military unit and the economic unit are the same. The soldier is also the landowner

Such then being the primitive identity of the political organization with military organization we have in this chapter to note the ways in which the two differentiate.

§ 516 We may most conveniently initiate the inquiry by observing the change which during social evolution takes place in the incidence of military obligations and by recognizing the accompanying separation of the fighting body from the rest of the community

Though there are some tribes in which military service (for aggressive war at any rate) is not compulsory as the Comanches, Dakotas, Chippewas whose war-chiefs go about enlisting volunteers for their expeditions yet habitually where political subordination is established every man not privately possessed as a chattel is bound to fight when called on. There have been and are some societies of considerably advanced structures in which this state of things continues. In ancient Iera the common men were all either actually in the army or formed a reserve occupied in labour and in modern Siam

the people "are all soldiers, and owe six months' service yearly to their Prince" But, usually, social progress is accompanied by a narrowed incidence of military obligation

When the enslavement of captives is followed by the rearing of their children as slaves, as well as by the consigning of criminals and debtors to slavery—when, as in some cases, there is joined with the slave-class a serf-class composed of subjugated people not detached from their homes, the community becomes divided into two parts, on one of which only does military duty fall Whereas, in previous stages, the division of the whole society had been into men as fighters and women as workers, the division of workers now begins to include men, and these continue to form an increasing part of the total male population. Though we are told that in Ashantee (where everyone is in fact owned by the king) the slave-population "principally constitutes the military force," and that in Rabbah (among the Fúlals) the army is composed of slaves liberated "on consideration of their taking up arms," yet, generally, those in bondage are not liable to military service the causes being partly distrust of them (as was shown among the Spartans when forced to employ the helots) partly contempt for them as defeated men or the offspring of defeated men, and partly a desire to devolve on others, labours at once necessary and repugnant Causes aside, however, the evidence proves that the army at this early stage usually coincides with the body of freemen, who are also the body of landowners This, as before shown in § 458, was the case in Egypt, Greece, Rome, and Germany How natural is this incidence of military obligation, we see in the facts that in ancient Japan and mediæval India, there were systems of military tenure like that of the middle ages in Europe, and that a kindred connexion had arisen even in societies like those of Tahiti and Samoa

Extent of estate being a measure of its owner's ability to bear burdens, there grows up a connexion between the amount of land held and the amount of military aid

put under the direction of some experienced chief of the royal blood or more frequently headed by the Inca in person."

The widening civil functions of the political head obviously prompt this delegation of military functions. But while the discharge of both becomes increasingly difficult as the nation enlarges and while the attempt to discharge both is dangerous there is also danger in doing either by deputy. At the same time that there is risk in giving supreme command of a distant army to a general, there is also risk in going with the army and leaving the government in the hands of a viceroy and the catastrophes from the one or the other cause which spite of precautions have taken place, show us alike that there is during social evolution an inevitable tendency to the differentiation of the military headship from the political headship but that this differentiation can become permanent only under certain conditions.

The general fact would appear to be that while militant activity is great, and the whole society has the organization appropriate to it the state of equilibrium is one in which the political head continues to be also the militant head that in proportion as there grows up along with industrial life, a civil administration distinguishable from the military administration, the political head tends to become increasingly civil in his functions and to delegate, now occasionally now generally his militant functions, that if there is a return to great militant activity with consequent reversion to militant structure, there is liable to occur a re-establishment of the primitive type of headship, by usurpation on the part of the successful general—either practical usurpation where the king is too sacred to be displaced or complete usurpation where he is not too sacred but that where along with decreasing militancy there goes increasing civil life and administration, headship of the army becomes permanently differentiated from political headship and subordinated to it.

§ 519 While in the course of social evolution there has

been going on this separation of the fighting body from the community at large, this diminution in its relative mass, and this establishment of a distinct headship to it, there has been going on an internal organization of it

The fighting body is at first wholly without structure. Among savages a battle is a number of single combats, the chief, if there is one, being but the warrior of most mark, who fights like the rest. Through long stages this disunited action continues. The *Iliad* tells of little more than the personal encounters of heroes, which were doubtless multiplied in detail by their unmentioned followers, and after the decay of that higher military organization which accompanied Greek and Roman civilization, this chaotic kind of fighting recurred throughout mediæval Europe. During the early feudal period everything turned on the prowess of individuals. War, says Gautier, consisted of "bloody duels," and even much later the idea of personal action dominated over that of combined action. But along with political progress, the subjection of individuals to their chief is increasingly shown by fulfilling his commands in battle. Action in the field becomes in a higher degree concerted, by the absorption of their wills in his will.

A like change presently shows itself on a larger scale. While the members of each component group have their actions more and more combined, the groups themselves, of which an army is composed, pass from disunited action to united action. When small societies are compounded into a larger one, their joint body of warriors at first consists of the tribal clusters and family-clusters assembled together, but retaining their respective individualities. The head of each Hottentot kraal, "has the Command, under the Chief of his Nation, of the Troops furnish'd out by his kraal." Similarly, the Malagasy "kept their own respective clans, and every clan had its own leader." Among the Chibchas, "each cacique and tribe came with different signs on their tents, fitted out with the mantles by which they distinguished themselves from each other." A

the development of arms, accoutrements and ancillary appliances of warfare. And there is the yet additional restriction caused by the intenser strain which military action puts on the resources of a nation, in proportion as it is carried on at a greater distance.

With separation of the fighting body from the body politic at large there very generally goes acquirement of a separate head. Active militancy ever tends to maintain union of civil rule with military rule, and often causes re-union of them where they have become separate but with the primary differentiation of civil from military structures is commonly associated a tendency to the rise of distinct controlling centres for them. This tendency often defeated by usurpation where wars are frequent takes effect under opposite conditions and then produces a military head subordinate to the civil head.

While the whole society is being developed by differentiation of the army from the rest there goes on a development within the army itself. As in the primitive horde the progress is from the uncombined fighting of individuals to combined fighting under direction of a chief, so on a larger scale when small societies are united into great ones, the progress is from the independent fighting of tribal and local groups, to fighting under direction of a general commander. And to effect a centralized control there arises a graduated system of officers, replacing the set of primitive heads of groups and a system of divisions which, traversing the original divisions of groups, establish regularly-organized masses having different functions.

With developed structure of the fighting body comes permanence of it. While as in early times men are gathered together for small wars and then again dispersed efficient organization of them is impracticable. It becomes practicable only among men who are constantly kept together by wars or preparations for wars and bodies of such men growing up replace the temporarily summoned bodies.

Lastly, we must not omit to note that while the a becomes otherwise distinguished, it becomes distinguished retaining and elaborating the system of status, though in rest of the community, as it advances, the system of control is spreading and growing definite. Compulsory cooperation continues to be the principle of the military part, however widely the principle of voluntary cooperation comes into play throughout the civil part.

ordinary Courts in excess, with a view by repeated fines and amercements to ruin the small freeholders, and thus to get their lands into their own hands, Charlemagne introduced a radical law reform the great body of the freemen were released from attendance at the *Gebotene Ding*, at which, from thenceforth, justice was to be administered under the presidency *ex officio*, of the *Centenar*, by permanent jurymen chosen *de melioribus*—i.e., from the more well-to-do freemen.

But in other cases and especially where concentration in a town renders performance of judicial functions less burdensome we see that along with retention or acquirement of predominant power by the third element in the true political structure there goes exercise of judicial functions by it. The case of Athens after the replacing of oligarchic rule by democratic rule, is of course the most familiar example of this. The Kleisthenian revolution made the annually-appointed magistrates personally responsible to the people judicially assembled and when under Pericles there were established the *dikasteries*, or courts of paid jurors chosen by lot, the administration of justice was transferred almost wholly to the body of freemen divided for convenience into committees. Among the Frieslanders who in early times were enabled by the nature of their habitat to maintain a free form of political organization there continued the popular judicial assembly — "When the commons were summoned for any particular purpose, the assembly took the name of the *Bodthing*. The *bodthing* was called for the purpose of passing judgment in cases of urgent necessity." And M. de Laveleye, describing the Teutonic mark as still existing in Holland especially in Drenthe, a tract "surrounded on all sides by marsh and bog" (again illustrating the physical conditions favourable to maintenance of primitive free institutions) goes on to say of the inhabitants as periodically assembled — "They appeared in arms; and no one could absent himself under pain of a fine. This assembly directed all the details as to the enjoyment of the common property appointed the works to be executed; imposed pecuniary penalties for the violation of rules, and nominated the officers charged with the executive power."

The likeness between the judicial form and the political

form is further shown where the government is neither despotic nor oligarchic, nor democratic, but mixed. For in our own case we see a system of administering justice which, like the political system, unites authority that is in a considerable degree irresponsible, with popular authority. In old English times a certain power of making and enforcing local or "bye-laws" was possessed by the township, and in more important and definite ways the hundred-moot and the shire-moot discharged judicial and executive functions their respective officers being at the same time elected. But the subsequent growth of feudal institutions, followed by the development of royal power, was accompanied by diminution of the popular share in judicial business, and an increasing assignment of it to members of the ruling classes and to agents of the crown. And at present we see that the system, as including the power of juries (which arose by selection of representative men, though not in the interest of the people), is in part popular, that in the summary jurisdiction of unpaid magistrates who, though centrally appointed, mostly belong to the wealthy classes, and especially the landowners, it is in part aristocratic, that in the regal commissioning of judges it continues monarchic, and that yet, as the selection of magistrates and judges is practically in the hands of a ministry-executing, on the average, the public will, royal power and class-power in the administration of justice are exercised under popular control.

§ 525 A truth above implied and now to be definitely observed, is that along with the consolidation of small societies into large ones effected by war, there necessarily goes an increasing discharge of judicial functions by deputy.

As the primitive king is very generally himself both commander-in-chief and high priest, it is not unnatural that his delegated judicial functions should be fulfilled both by priests and soldiers. Moreover, since the consultative body, where it becomes established and separated from the multi-

Originally the ruler with or without the assent of the assembled people not only decides he executes his decisions, or sees them executed. For example in Dahomey the king stands by and if the deputed officer does not please him, takes the sword out of his hand and shows him how to cut off a head. An account of death punishment among the Bedouins ends with the words—"the executioner being the sheikh himself" Our own early history affords traces of personal executive action by the king, for there came a time when he was interdicted from arresting any one himself and had thereafter to do it in all cases by deputy. And this interprets for us the familiar truth that, through his deputies the sheriffs who are bound to act personally if they cannot themselves find deputies the monarch continues to be theoretically the agent who carries the law into execution a truth further implied by the fact that execution in criminal cases, nominally authorized by him though actually by his minister is arrested if his assent is withheld by his minister. And these facts imply that a final power of judgment remains with the monarch not withstanding delegation of his judicial functions. How this happens we shall see on tracing the differentiation.

Naturally when a ruler employs assistants to hear complaints and redress grievances he does not give them absolute authority but reserves the power of revising their decisions. We see this even in such rude societies as that of the Sandwich Islands where one who is dissatisfied with the decision of his chief may appeal to the governor and from the governor to the king or as in ancient Mexico where "none of the judges were allowed to condemn to death without communicating with the king who had to pass the sentence." And the principle holds where the political headship is compound instead of simple. When the hegemony of Athens became in fact more and more a dominion, the civic body of Attica claimed supreme judicial authority over all the allies. The federal towns only retained their lower

courts " Obviously by such changes are produced unlikenesses of degree and differences of kind in the capacities of judicial agencies. As political subordination spreads, the local assemblies which originally judged and executed in cases of all kinds, lose part of their functions, now by restriction in range of jurisdiction, now by subjection of their decisions to supervision, now by denial of executive power To trace up the process from early stages, as for instance from the stage in which the old English tything-moot discharged administrative, judicial, and executive functions, or from the stage in which the courts of feudal nobles did the like, is here alike impracticable and unnecessary Reference to such remnants of power as vestries and manorial courts possess, will sufficiently indicate the character of the change But along with degradation of the small and local judicial agencies, goes development of the great and central ones, and about this something must be said

Returning to the time when the king with his servants and chief men, surrounded by the people, administers justice in the open air, and passing to the time when his court, held more frequently under cover and consequently with less of the popular element, still consists of king as president and his household officers with other appointed magnates as counsellors (who in fact constitute a small and permanent part of that general consultative body occasionally summoned); we have to note two causes which cooperate to produce a division of these remaining parts of the original triune body—one cause being the needs of subjects, and the other the desire of the king So long as the king's court is held wherever he happens to be, there is an extreme hindrance to the hearing of suits, and much entailed loss of money and time to suitors To remedy this evil came, in our own case, the provision included in the Great Charter that the common pleas should no longer follow the king's court, but be held in some certain place This place was fixed in the palace of Westminster. And then as Blackstone points out—

Custom that some of our subjects make use of the written law" Instance the fact that our own Common Law is mainly an embodiment of the customs of the realm" which have gradually become established its older part, nowhere existing in the shape of enactment is to be learnt only from text-books and even parts, such as mercantile law elaborated in modern times are known only through reported judgments given in conformity with usages proved to have been previously followed. Instance again the fact, no less significant, that at the present time custom perpetually re-appears as a living supplementary factor, for it is only after judges decisions have established precedents which pleaders afterwards quote, and subsequent judges follow that the application of an act of parliament becomes settled. So that while in the course of civilization written law tends to replace traditional usage, the replacement never becomes complete.

And here we are again reminded that law whether written or unwritten, formulates the rule of the dead over the living. In addition to that power which past generations exercise over present generations by transmitting their natures bodily and mental, and in addition to the power they exercise over them by bequeathed private habits and modes of life there is this power they exercise through these regulations for public conduct handed down orally or in writing. Among savages and in barbarous societies the authority of laws thus derived is unqualified and even in advanced stages of civilization characterized by much modifying of old laws and making of new ones conduct is controlled in a far greater degree by the body of inherited laws than by those laws which the living make.

I emphasize these obvious truths for the purpose of pointing out that they imply a tacit ancestor worship. I wish to make it clear that when asking in any case—What is the Law? we are asking—What was the dictate of our forefathers? And my object in doing this is to prepare the way for showing that unconscious conformity to the dictates of the

dead, thus shown, is, in early stages, joined with conscious conformity to their dictates

§ 530 For along with development of the ghost-theory, there arises the practice of appealing to ghosts, and to the gods evolved from ghosts, for directions in special cases, in addition to the general directions embodied in customs. There come methods by which the will of the ancestor, or the dead chief, or the derived deity, is sought, and the reply given, usually referring to a particular occasion, originates in some cases a precedent, from which there results a law added to the body of laws the dead have transmitted

The seeking of information and advice from ghosts, takes here a supplicatory and there a coercive form. The Veddahs, who ask the spirits of their ancestors for aid, believe that in dreams they tell them where to hunt, and then we read of the Scandinavian diviners, that they "dragged the ghosts of the departed from their tombs, and forced the dead to tell them what would happen" cases which remind us that among the Hebrews, too, there were supernatural directions given in dreams as well as information derived from invoked spirits. This tendency to accept special guidance from the dead, in addition to the general guidance of an inherited code, is traceable in a transfigured shape even among ourselves, for besides conforming to the orally-declared wish of a deceased parent, children are often greatly influenced in their conduct by considering what the deceased parent would have desired or advised. His imagined injunction practically becomes a supplementary law.

Here, however, we are chiefly concerned with that more developed form of such guidance which results where the spirits of distinguished men, regarded with special fear and trust, become deities. Ancient Egyptian hieroglyphics reveal two stages of it. The "Instructions" recorded by King Rash'otephet are given by his father in a dream. "Son of the Sun Amenemhat—deceased —He says in a dream—unto his

regard to the magnitude of the crime than to the audacity of the attempt to transgress the hallowed laws of the empire." And then beyond the criminality which disobeying the ruler involves there is the criminality involved by damaging the ruler's property where his subjects and their services belong wholly or partly to him. In the same way that maltreating a slave and thereby making him less valuable comes to be considered as an aggression on his owner—in the same way that even now among ourselves a father's ground for proceeding against a seducer is loss of his daughter's services so where the relation of people to monarch is servile there arises the view that injury done by one person to another is injury done to the monarch's property. An extreme form of this view is alleged of Japan, where cutting and maiming of the king's dependents "becomes wounding the king, or regicide. And hence the general principle traceable in European jurisprudence from early days that a transgression of man against man is punishable mainly or in large measure as a transgression against the State. It was thus in ancient Rome "every one convicted of having broken the public peace expiated his offence with his life. An early embodiment of the principle occurs in the Saxon law under which "to the *wehrgeld* is added in a great number of cases, the *fred* a sum paid to the king or to the magistrate in reparation for the violation of public peace" and in later days the fine paid to the State absorbed the *wehrgeld*. Our own history similarly shows us that, as authority extends and strengthens the guilt of disregarding it takes precedence of intrinsic guilt. "The king's peace" was a privilege which attached to the sovereign's court and castle but which he could confer on other places and persons and which at once raised greatly the penalty of misdeeds committed in regard to them." Along with the growing check on the right of private revenge for wrongs—along with the increasing subordination of minor and local jurisdictions—along with that strengthening of a central authority which these changes imply offences against

the law become offences against the king, and the crime of disobedience a crime of contempt to be expiated by a special sort of fine" And we may easily see how, where a ruler gains absolute power, and especially where he has the *prestige* of divine origin, the guilt of contempt comes to exceed the intrinsic guilt of the forbidden act

A significant truth may be added On remembering that Peru, and Japan till lately, above named as countries in which the crime of disobedience to the ruler was considered so great as practically to equalize the flagitiousness of all forbidden acts, had societies in which militant organization, carried to its extreme, assimilated the social government at large to the government of an army, we are reminded that even in societies like our own, there is maintained in the army the doctrine that insubordination is the cardinal offence Disobedience to orders is penal irrespective of the nature of the orders or the motive for the disobedience, and an act which, considered in itself, is quite innocent, may be visited with death if done in opposition to commands

While, then, in that enforced conformity to inherited customs which plays the part of law in the earliest stages, we see insisted upon the duty of obedience to ancestors at large, irrespective of the injunctions to be obeyed, which are often trivial or absurd—while in the enforced conformity to special directions given in oracular utterances by priests, or in "themistes," &c, which form a supplementary source of law, we see insisted upon the duty of obedience, in small things as in great, to certain recognized spirits of the dead, or deities derived from them, we also see that obedience to the edicts of the terrestrial ruler, whatever they may be, becomes, as his power grows, a primary duty

§ 533 What has been said in the foregoing sections brings out with clearness the truth that rules for the regulation of conduct have four sources Even in early stages we see that beyond the inherited usages which have a quasi-religious sanc-

primitive Europe they also make us aware of a significant difference. For with the rise of class-distinctions in primitive Europe the rates of compensation equal among members of each class had ceased to be equal between members of different classes. Along with the growth of personally derived law there had been a departure from the impersonally derived law as it originally existed.

But now the truth to be noted is that, with the relative weakening of kingly or aristocratic authority and relative strengthening of popular authority there revives the partially-suppressed kind of law derived from the *consensus* of individual interests and the kind of law thus originating tends continually to replace all other law. For the chief business of courts of justice at present, is to enforce, without respect of persons the principle, recognized before governments arose, that all members of the community however otherwise distinguished shall be similarly dealt with when they aggress one upon another. Though the equalization of injuries by retaliation is no longer permitted and though the Government, reserving to itself the punishment of transgressors does little to enforce restitution or compensation yet in pursuance of the doctrine that all men are equal before the law it has the same punishment for transgressors of every class. And then in respect of unfulfilled contracts or disputed debts, from the important ones tried at Assizes to the trivial ones settled in County Courts its aim is to maintain the rights and obligations of citizens without regard for wealth or rank. Of course in our transition state the change is incomplete. But the sympathy with individual claims and the *consensus* of individual interests accompanying it lead to an increasing predominance of that kind of law which provides directly for social order as distinguished from that kind of law which indirectly provides for social order by insisting on obedience to authority divine or human. With decline of the *regime* of status and growth of the *regime* of contract personally-derived law more and more gives place to imper

sonally-derived law, and this of necessity, since a formulated inequality is implied by the compulsory cooperation of the one, while, by the voluntary cooperation of the other, there is implied a formulated equality.

So that, having first differentiated from the laws of supposed divine origin, the laws of recognized human origin subsequently re-differentiate into those which ostensibly have the will of the ruling agency as their predominant sanction, and those which ostensibly have the aggregate of private interests as their predominant sanction, of which two the last tends, in the course of social evolution, more and more to absorb the first. Necessarily, however, while militancy continues, the absorption remains incomplete, since obedience to a ruling will continues to be in some cases necessary.

§ 534 A right understanding of this matter is so important, that I must be excused for briefly presenting two further aspects of the changes described. one concerning the accompanying sentiments, and the other concerning the accompanying theories.

As laws originate partly in the customs inherited from the undistinguished dead, partly in the special injunctions of the distinguished dead, partly in the average will of the undistinguished living, and partly in the will of the distinguished living, the feelings responding to them, allied though different, are mingled in proportions that vary under diverse circumstances.

According to the nature of the society, one or other sanction predominates, and the sentiment appropriate to it obscures the sentiments appropriate to the others, without, however, obliterating them. Thus in a theocratic society, the crime of murder is punished primarily as a sin against God, but not without there being some consciousness of its criminality as a disobedience to the human ruler who enforces the divine command, as well as an injury to a family, and, by implication, to the community. Where, as among the Bedouins or in

CHAPTER XV

PROPERTY

§ 536 The fact referred to in § 292 that even intelligent animals display a sense of proprietorship negatives the belief propounded by some that individual property was not recognized by primitive men. When we see the claim to exclusive possession understood by a dog, so that he fights in defence of his master's clothes if left in charge of them it becomes impossible to suppose that even in their lowest state men were devoid of those ideas and emotions which initiate private ownership. All that may be fairly assumed is that these ideas and sentiments were at first less developed than they have since become.

It is true that in some extremely rude hordes, rights of property are but little respected. Lichtenstein tells us that among the Bushmen "the weaker if he would preserve his own life is obliged to resign to the stronger his weapons his wife and even his children" and there are some degraded North American tribes in which there is no check on the more powerful who choose to take from the less powerful. Their acts are held to be legitimized by success. But absence of the idea of property and the accompanying sentiment is no more implied by these forcible appropriations than it is implied by the forcible appropriation which a bigger schoolboy makes of the toy belonging to a less. It is also true that even where force is not used individual

claims are in considerable degrees over-ridden or imperfectly maintained. We read of the Chippewayans that "Indian law requires the successful hunter to share the spoils of the chase with all present," and Hilhouse says of the Arawaks that though individual property is "distinctly marked amongst them," yet "they are perpetually borrowing and lending, without the least care about payment." But such instances merely imply that private ownership is at first ill-defined, as we might expect, *à priori*, that it would be.

Evidently the thoughts and feelings which accompany the act of taking possession, as when an animal clutches its prey, and which at a higher stage of intelligence go along with the grasping of any article indirectly conducing to gratification, are the thoughts and feelings to which the theory of property does but give a precise shape. Evidently the use in legal documents of such expressions as "to have and to hold," and to be "seized" of a thing, as well as the survival up to comparatively late times of ceremonies in which a portion (rock or soil) of an estate bought, representing the whole, actually passed from hand to hand, point back to this primitive physical basis of ownership. Evidently the developed doctrine of property, accompanying a social state in which men's acts have to be mutually restrained, is a doctrine which on the one hand asserts the freedom to take and to keep within specified limits, and denies it beyond those limits—gives positiveness to the claim while restricting it. And evidently the increasing definiteness thus given to rights of individual possession, may be expected to show itself first where definition is relatively easy and afterwards where it is less easy. This we shall find that it does.

§ 537 While in early stages it is difficult, not to say impossible, to establish and mark off individual claims to parts of the area wandered over in search of food, it is not difficult to mark off the claims to movable things and to habitations, and these claims we find habitually recognized. The follow-

of the ancient Teutonic mark—a territory held by a primitive settlement of a family or kindred” each free male member of which had a right to the enjoyment of the woods the pastures the meadow and the arable land of the mark,” but whose right was “of the nature of usufruct or possession only” and whose allotted private division became each season common grazing land after the crop had been taken off while his more permanent holding was limited to his homestead and its immediate surroundings. And we may perceive how the community’s ownership might readily as circumstances and sentiments determined result here in an annual use of apportioned tracts here in a periodic re-partitioning, and here in tenures of more permanent kinds—still subject to the supreme right of the whole public.

§ 539 Induction and deduction uniting to show as they do that at first land is common property there presents itself the question—How did possession of it become individualized? There can be little doubt as to the general nature of the answer Force in one form or other is the sole cause adequate to make the members of a society yield up their joint claim to the area they inhabit. Such force may be that of an external aggressor or that of an internal aggressor, but in either case it implies militant activity

The first evidence of this which meets us is that the primitive system of land-ownership has lingered longest where circumstances have been such as either to exclude war or to minimize it. Already I have referred to a still-extant Teutonic mark existing in Drenthe “surrounded on all sides by marsh and bog,” forming a kind of island of sand and heath” and this example before named as showing the survival of free judicial institutions where free institutions at large survive simultaneously shows the communal land ownership which continues while men are unsubordinated. After this typical case may be named one not far distant and somewhat akin—that namely, which occurs “in the

sandy district of the Campine and beyond the Meuse, in the Ardennes region," where there is great "want of communication" the implied difficulty of access and the poverty of surface making relatively small the temptation to invade. So that while, says Laveleye, "except in the Ardennes, the lord had succeeded in usurping the eminent domain, without however destroying the inhabitants' rights of use," in the Ardennes itself, the primitive communal possession survived. Other cases show that the mountainous character of a locality, rendering subjugation by external or internal force impracticable, furthers maintenance of this primitive institution, as of other primitive institutions. In Switzerland, and especially in its Alpine parts, the allmends above mentioned, which are of the same essential nature as the Teutonic marks, have continued down to the present day. Sundry kindred regions present kindred facts. Ownership of land by family-communities is still to be found "in the hill district" of Lombardy. In the poverty-stricken and mountainous portion of Auvergne, as also in the hilly and infertile department of Nièvre, there are still, or recently have been, these original joint-ownerships of land. And the general remark concerning the physical circumstances in which they occur, is that "it is to the wildest and most remote spots that we must go in search of them"—a truth again illustrated "in the small islands of Hœdic and Houat, situated not far from Belle Isle" on the French coast, and also in our own islands of Orkney and Shetland.

Contrariwise, we find that directly by invasion, and indirectly by the chronic resistance to invasion which generates those class-inequalities distinguishing the militant type, there is produced individualization of land-ownership, in one or other form. All the world over, conquest gives a possession that is unlimited because there is no power to dispute it. Along with other spoils of war, the land becomes a spoil; and, according to the nature of the conquering society, is owned wholly by the despotic conqueror, or, partially and in

be revived as industrialism further develops. The *régime* of contract at present so far extended that the right of property in movables is recognized only as having arisen by exchange of services or products under agreements or by gift from those who had acquired it under such agreements may be further extended so far that the products of the soil will be recognized as property only by virtue of agreements between individuals as tenants and the community as landowner. Even now among ourselves private ownership of land is not absolute. In legal theory landowners are directly or indirectly tenants of the Crown (which in our day is equivalent to the State or in other words the Community) and the Community from time to time resumes possession after making due compensation. Perhaps the right of the Community to the land, thus tacitly asserted will in time to come be overtly asserted and acted upon after making full allowance for the accumulated value artificially given.

§ 541. The rise and development of arrangements which fix and regulate private possession thus admit of tolerably clear delineation.

The desire to appropriate and to keep that which has been appropriated lies deep not in human nature only, but in animal nature being indeed a condition to survival. The consciousness that conflict and consequent injury may probably result from the endeavour to take that which is held by another ever tends to establish and strengthen the custom of leaving each in possession of whatever he has obtained by labour and this custom takes among primitive men the shape of an overtly admitted claim.

This claim to private ownership fully recognized in respect of movables made by the possessor and fully or partially recognized in respect of game killed on the territory over which members of the community wander is not recognized in respect of this territory itself or tracts of it. Property is individualized as far as circumstances allow individual claims

to be marked off with some definiteness, but it is not individualized in respect of land, because, under the conditions, no individual claims can be shown, or could be effectually marked off were they shown

With the passage from a nomadic to a settled state, ownership of land by the community becomes qualified by individual ownership, but only to the extent that those who clear and cultivate portions of the surface have undisturbed enjoyment of its produce. Habitually the public claim survives, and either when, after a few crops, the cleared tract is abandoned, or when, after transmission to descendants, it has ceased to be used by them, it reverts to the community. And this system of temporary ownership, congruous with the sentiments and usages inherited from ancestral nomads, is associated also with an undeveloped agriculture. land becoming exhausted after a few years

Where the patriarchal form of organization has been carried from the pastoral state into the settled state, and, sanctified by tradition, is also maintained for purposes of mutual protection, possession of land partly by the clan and partly by the family, long continues, at the same time that there is separate possession of things produced by separate labour. And while in some cases the communal land-ownership, or family land-ownership, survives, it in other cases yields in various modes and degrees to qualified forms of private ownership, mostly temporary, and subject to supreme ownership by the public

But war, both by producing class-differentiations within each society, and by effecting the subjugation of one society by another, undermines or destroys communal proprietorship of land, and partly or wholly substitutes for it, either the unqualified proprietorship of an absolute conqueror, or proprietorship by a conqueror qualified by the claims of vassals holding it under certain conditions, while their claims are in turn qualified by those of dependents attached to the soil. That is to say, the system of status which militancy develops,

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involves a graduated ownership of land as in the *régime* of ownership of persons. The *régime* of property

Complete individualization of ownership is an exchange of industrial progress. From the beginning from those identified as products of a man's own labour are re further as his, and throughout the course of civilization co-recognition and joint household living, have not exchanged individual recognition of a *peculium* obtained by individual effort. Even accumulation of movables privately possessed arising in the course increases as militancy is restrained by growing industry because this pre-supposes greater facility for disposing the industrial products because there come along with the measures of quantity and value furthering exchange, and because the more pacific relations implied render it safe for men to detach themselves from the groups in which they previously kept together for mutual protection. The individualization of ownership extended and made more definite by trading transactions under contract, eventually affects the ownership of land. Bought and sold by measure and for money land is assimilated in this respect to the personal property produced by labour and thus becomes in the general apprehension confounded with it. But there is reason to suspect that while private possession of things produced by labour will grow even more definite and sacred than at present the inhabited area which cannot be produced by labour will eventually be distinguished as something which may not be privately possessed. As the individual primitively owner of himself partially or wholly loses ownership of himself during the militant *régime* but gradually resumes it as the industrial *régime* develops so possibly the communal proprietorship of land, partially or wholly merged in the ownership of dominant men during evolution of the militant type will be resumed as the industrial type becomes fully evolved.

CHAPTER XVI

REVENUE

§ 542 Broadly dividing the products of men's labours into the part which remains with them for private purposes and the part taken from them for public purposes, and recognizing the truism that the revenue constituted by this last part must increase with the development of the public organization supported by it, we may be prepared for the fact that in early stages of social evolution, nothing answering to revenue exists

The political head being at first distinguished from other members of the community merely by some personal superiority, his power, often recognized only during war, is, if recognized at other times, so slight as to bring him no material advantage. Habitually in rude tribes he provides for himself as a private man. Sometimes, indeed, instead of gaining by his distinction he loses by it. Among the Dakotas "the civil-chiefs and war-chiefs are distinguished from the rest by their poverty. They generally are poorer clad than any of the rest." A statement concerning the Abipones shows us why this occasionally happens

"The cacique has nothing, either in his arms or his clothes, to distinguish him from a common man, except the peculiar oldness and shabbiness of them, for if he appears in the streets with new and handsome apparel, the first person he meets will boldly cry, Give me that dress and unless he immediately parts with it, he becomes the scoff and the scorn of all, and hears himself called covetous"

Among the Patagonians the burdens entailed by relieving and protecting inferiors, lead to abdication. Many "born

Caciques refuse to have any vassals, as they cost them dear, and yield but little profit."

Generally, however and always where war increases his predominance, the leading warrior begins to be distinguished by wealth accruing to him in sundry ways. The superiority which gains him supremacy implying as it mostly does greater skill and energy conduces to accumulation not uncommonly as we have seen, (§ 472) the primitive chief is also the rich man. And this possession of much private property grows into a conspicuous attribute when in the settled state, land held by the community begins to be appropriated by its more powerful members. Rulers habitually become large landowners. In ancient Egypt there were royal lands. Of the primitive Greek king we read that "an ample domain is assigned to him [taken by him] as an appurtenance of his lofty position." And among other peoples in later times we find the monarch owning great estates. The income hence derived, continues to the last to represent that revenue which the political head originally had, when he began to be marked off from the rest only by some personal merit.

Such larger amount of private means as thus usually distinguishes the head man at the outset, augments as successful war increasing his predominance brings him an increasing portion of the spoils of conquered peoples. In early stages it is the custom for each warrior to keep whatever he personally takes in battle while that which is taken jointly is in some cases equally divided. But of course the chief is apt to get an extra share either by actual capture or by the willing award of his comrades or it may be by forcible appropriation. And as his power grows this forcible appropriation is yielded to sometimes tacitly sometimes under protest as we are shown by the central incident in the *Iliad*. Through later stages his portion of plunder reserved before division of the remainder among followers continues to be a source of revenue. And where he becomes absolute the property taken

from the vanquished, lessened only by such portions as he gives in reward for services, augments his means of supporting his dependents and maintaining his supremacy

To these sources of income which may be classed as incidental, is simultaneously added a source which is constant. When predominance of the chief has become so decided that he is feared he begins to receive propitiatory presents, at first occasionally and afterwards periodically. Already in §§ 369-71, when treating of presents under their ceremonial aspects, I have given illustrations, and many more may be added. Describing the king among the Homeric Greeks, Grote writes—"Moreover he receives frequent presents, to avert his enmity, to conciliate his favour, or to buy off his exactions." So, too, of the primitive Germans, we are told by Tacitus that "it is the custom of the states to bestow by voluntary and individual contribution on the chiefs, a present of cattle or of grain, which, while accepted as a compliment, supplies their wants." And gifts to the ruler voluntarily made to obtain good will, or prevent ill will, continue to be a source of revenue until quite late stages. Among ourselves "during the reign of Queen Elizabeth, the custom of presenting New Year's gifts to the sovereign was carried to an extravagant height," and even "in the reign of James I the money gifts seem to have been continued for some time."

Along with offerings of money and goods there go offerings of labour. Not unfrequently in primitive communities, it is the custom for all to join in building a new house or clearing a plot of ground for one of their number such benefits being reciprocated. Of course the growing predominance of a political head, results in a more extensive yielding of gratuitous labour for his benefit, in these and other ways. The same motives which prompt gifts to the ruler prompt offers of help to him more than to other persons, and thus the custom of working for him grows into a usage. We read of the village chief among the Guaranis that "his subjects cultivated for him

was exacted from dependents by local rulers and became also a form of tribute to the central ruler, as instance the specified numbers of days work which before the Revolution had to be given by French peasants to the State under the name of *corvée*.

After presents freely given have passed into presents expected and finally demanded, and volunteered help has passed into exacted service the way is open for a further step. Change from the voluntary to the compulsory accompanied as it necessarily is by specification of the amounts of commodities and work required is apt to be followed eventually by substitution of money payments. During stages in which there has not arisen a circulating medium, the ruler local or general is paid his revenue in kind. In Fiji a chief's house is supplied with daily food by his dependents and tribute is paid by the chiefs to the king "in yams, taro pigs fowls native cloth," &c. In Tahiti, where besides supplies derived from "the hereditary districts of the reigning family" there were "requisitions made upon the people" the food was generally brought cooked. In early European societies too the expected donations to the ruler continued to be made partly in goods animals clothes and valuables of all kinds long after money was in use. But the convenience both of giver and receiver prompts commutation, when the values of the presents looked for have become settled. And from kindred causes there also comes as we have seen in a previous chapter commutation of military services and commutation of labour services. No matter what its nature that which was at first spontaneously offered, eventually becomes a definite sum taken if need be by force—a tax.

§ 544 At the same time his growing power enables the political head to enforce demands of many other kinds. European histories furnish ample proofs.

Besides more settled sources of revenue there had, in the early feudal period been established such others as are typi-

cally illustrated by a statement concerning the Dukes of Normandy in the 12th century. They profited by escheats (lands reverting to the monarch in default of posterity of the first baron), by guardianships and reliefs, by seizure of the property of deceased prelates, usurers, excommunicated persons, suicides, and certain criminals, and by treasure-trove. They were paid for conceded privileges, and for confirmations of previous concessions. They received bribes when desired to do justice, and were paid fines by those who wished to be maintained in possession of property, or to get liberty to exercise certain rights. In England, under the Norman kings, there were such other sources of revenue as compositions paid by heirs before taking possession, sales of wardships, sales to male heirs of rights to choose their wives, sales of charters to towns, and subsequent re-sales of such charters, sales of permissions to trade, and there was also what was called "moneyage"—a shilling paid every three years by each hearth to induce the king not to debase the coinage. Advantage was taken of every favourable opportunity for making and enforcing a demand, as we see in such facts as that it was customary to mulct a discharged official, and that Richard I "compelled his father's servants to repurchase their offices."

Showing us, as such illustrations do, that these arbitrary seizures and exactions are numerous and heavy in proportion as the power of the ruler is little restrained, the implication is that they reach their extreme where the social organization is typically militant. Evidence that this is so, was given in § 443, and in the next chapter, under another head, we shall meet with more of it.

§ 545 While, in the ways named in the foregoing sections, there arise direct taxes, there simultaneously arise, and insensibly diverge, the taxes eventually distinguished as indirect. These begin as demands made on those who have got considerable quantities of commodities exposed in transit,

or on sale and of which parts originally offered and became are subsequently seized as dues as instance the

Under other heads I have referred to the same Revolution, travellers among rude peoples make propitiatory gifts under the by frequent recurrence the reception of these gifts claim. Narratives of recent African explorers confirm statements of Livingstone, who describes the Portuguese as among the Quanga people as giving largely because "rather did not secure the friendship of these petty chiefs, from slaves might be stolen with their loads while passing through the forests and who says of a Balonda chief that he seemed to regard these presents as his proper dues, and as his cargo of goods had come by Senhor Pascoal he entered the house for the purpose of receiving his share." Various cases show that instead of attempting to take all at the risk of a fight the head man enters into a compromise under which part is given without a fight as instance the habitual arrangement with Bedouin tribes which compound for robbery of travellers by amounts agreed upon or as instance the mountain Bhils of India, whose chiefs have "seldom much revenue except plunder" who have officers "to obtain information of unprotected villages and travellers" and who claim "a duty on goods passing their hills" apparently a composition accepted when those who carry the goods are too strong to be robbed without danger Where the protection of individuals depends mainly on family-organizations and clan-organizations, the subject as well as the stranger undefended when away from his home similarly becomes liable to this qualified black mail. Now to the local ruler now to the central ruler according to their respective powers no yields up part of his goods that possession of the rest may be guaranteed him, and his claims on buyers enforced. This state of things was illustrated in ancient Mexico where—

"Of all the goods which were brought into the market, a certain portion was paid in tribute to the king who was on his part obliged to do justice to the merchants, and to protect their property and their persons.

calls the same like in the records of early European peoples. Not only the revenue of the primitive Greek king, consisted of (fixed) payments paid for licences "to trade"—presents which probably were at first portions of the commodities brought to sell. At a later period in Greece there obtained a practice that had doubtless descended from this "To these [magistrates of markets] a certain toll or tribute was exacted by all those who brought any thing to sell in the market" In western Europe indirect taxation had a kindred origin to the trade, at the mercy of the ruler whose territory he entered, had to surrender part of his merchandise in consideration of being allowed to pass. As feudal lords, swooping down from their castles on merchants passing along neighbouring roads or navigable rivers, took by force portions of what they had, when they did not take all, so their suzerains laid hands on what they pleased of cargoes entering their ports or passing their frontiers. Their shares gradually becoming defined by precedent. In England, though there is no clear proof that the two tuns which the king took from wine-laden ships (wine being then the chief import) was originally an unqualified seizure, yet, since this quantity was called "the king's passage" we have good reason for suspecting that it was so, and that though, afterwards, the king's officer gave something in return, this, being at his option, was but nominal. The very name "customs," eventually applied to commuted payments on imports, points back to a preceding time when this yielding up of portions of cargoes had become established by usage. Confirmation of this inference is furnished by the fact that internal traders were thus dealt with. So late as 1309 it was complained "that the officers appointed to take articles for the king's use in fairs and markets, took more than they ought, and made a profit of the surplus"

Speaking generally of indirect taxes, we may say that arising when the power of the ruler becomes sufficient to change gifts into exactions, they at first differ from other

exactions simply in this, that they are enforced on occasions when the subject is more than usually at the ruler's mercy, either because he is exposing commodities for sale where they can be easily found and a share taken or because he is transferring them from one part of the territory to another and can be readily stopped and a portion demanded, or because he is bringing commodities into the territory and can have them laid hands on at one of the few places of convenient entrance. The shares appropriated by the ruler originally in kind are early commuted into money where the commodities are such as by reason of quantity or distance, he cannot consume instance the load penny payable at the pit's mouth on each waggon load to the old English kings. And the claim comes to be similarly commuted in other cases as fast as increasing trade brings a more abundant circulating medium and a greater quantity of produced and imported commodities the demanded portions of which it becomes more difficult to transport and to utilize.

§ 546 No great advantage would be gained by here going into details. The foregoing general facts appear to be all that it is needful for us to note.

From the outset the growth of revenue has like that growth of the political headship which it accompanies been directly or indirectly a result of war. The property of conquered enemies at first goods cattle prisoners and at a later stage land, coming in larger share to the leading warrior increases his predominance. To secure his good will which it is now important to do propitiatory presents and help in labour are given and these as his power further grows become periodic and compulsory. Making him more despotic at the same time that it augments his kingdom's continuance of this process increases his ability to enforce contributions alike from his original subjects and from tributaries while the necessity for supplies now to defend his kingdom now to invade adjacent kingdoms is ever made the plea for

increasing his demands of ~~estab~~lished kinds and for making new ones. Under stress of the alleged needs, portions of their goods are taken from subjects whenever they are exposed to view for purposes of exchange. And as the primitive presents of property and labour, once voluntary and variable, but becoming compulsory and periodic, are eventually commuted into direct taxes, so these portions of the trader's goods which were originally given for permission to trade and then seized as of right, come eventually to be transformed into percentages of value paid as tolls and duties.

But to the last as at first, and under free governments as under despotic ones, war continues to be the usual reason for imposing new taxes or increasing old ones, at the same time that the coercive organization in past times developed by war, continues to be the means of exacting them.

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there is given the indirect aid of all who cannot fight. Supposing them otherwise similar those communities will survive in which the efforts of combatants are in the greatest degree seconded by those of non-combatants. In a purely militant society therefore individuals who do not bear arms have to spend their lives in furthering the maintenance of those who do. Whether as happens at first the non-combatants are exclusively the women, or whether as happens later the class includes enslaved captives or whether as happens later still it includes serfs the implication is the same. For if of two societies equal in other respects the first wholly subordinates its workers in this way while the workers in the second are allowed to retain for themselves the produce of their labour or more of it than is needful for maintaining them then in the second the warriors not otherwise supported or supported less fully than they might else be will have partially to support themselves and will be so much the less available for war purposes. Hence in the struggle for existence between such societies it must usually happen that the first will vanquish the second. The social type produced by survival of the fittest, will be one in which the fighting part includes all who can bear arms and be trusted with arms while the remaining part serves simply as a permanent commissariat.

An obvious implication of a significance to be hereafter pointed out, is that the non-combatant part, occupied in supporting the combatant part, cannot with advantage to the self preserving power of the society increase beyond the limit at which it efficiently fulfils its purpose. For otherwise some who might be fighters are superfluous workers and the fighting power of the society is made less than it might be. Hence in the militant type the tendency is for the body of warriors to bear the largest practicable ratio to the body of workers.

§ 550 Given two societies of which the members are all

either warriors or those who supply the needs of warriors, and, other things equal, supremacy will be gained by that in which the efforts of all are most effectually combined. In open warfare joint action triumphs over individual action. Military history is a history of the successes of men trained to move and fight in concert.

Not only must there be in the fighting part a combination such that the powers of its units may be concentrated, but there must be a combination of the subservient part with it. If the two are so separated that they can act independently, the needs of the fighting part will not be adequately met. If to be cut off from a temporary base of operations is dangerous, still more dangerous is it to be cut off from the permanent base of operations, namely that constituted by the body of non-combatants. This has to be so connected with the body of combatants that its services may be fully available. Evidently, therefore, development of the militant type involves a close binding of the society into a whole. As the loose group of savages yields to the solid phalanx, so, other things equal, must the society of which the parts are but feebly held together, yield to one in which they are held together by strong bonds.

§ 551 But in proportion as men are compelled to co-operate, their self-prompted actions are restrained. By as much as the unit becomes merged in the mass, by so much does he lose his individuality as a unit. And this leads us to note the several ways in which evolution of the militant type entails subordination of the citizen.

His life is not his own, but is at the disposal of his society. So long as he remains capable of bearing arms he has no alternative but to fight when called on, and, where militancy is extreme, he cannot return as a vanquished man under penalty of death.

Of course, with this there goes possession of such liberty only as military obligations allow. He is free to pursue his

large, which are in constant antagonism with surrounding groups. If there does not already exist within any group so circumstanced, an agency for producing some necessary article, inability to obtain it from without will lead to the establishment of an agency for obtaining it within.

Whence it follows that the desire "not to be dependent on foreigners" is one appropriate to the militant type of society. So long as there is constant danger that the supplies of needful things derived from other countries will be cut off by the breaking out of hostilities it is imperative that there shall be maintained a power of producing these supplies at home and that to this end the required structures shall be maintained. Hence there is a manifest direct relation between militant activities and a protectionist policy.

§ 558 And now having observed the traits which may be expected to establish themselves by survival of the fittest during the struggle for existence among societies, let us observe how these traits are displayed in actual societies similar in respect of their militancy but otherwise dissimilar.

Of course in small primitive groups, however warlike they may be we must not look for more than rude outlines of the structure proper to the militant type. Being loosely aggregated definite arrangement of their parts can be carried but to a small extent. Still so far as it goes the evidence is to the point. The fact that habitually the fighting body is co-extensive with the adult male population, is so familiar that no illustrations are needed. An equally familiar fact is that the women, occupying a servile position do all the unskilled labour and bear the burdens with which may be joined the fact that not unfrequently during war they carry the supplies as in Asia among the Bhils and Khonds, as in Polynesia among the New Caledonians and Sandwich Islanders, as in America among the Comanches. Mandrucus, Patagonians, their office as forming the permanent commissariat being thus clearly shown. We see too that where the enslaving of

captives has arisen, these also serve to support and aid the combatant class, acting during peace as producers and during war joining the women in attendance on the army, as among the New Zealanders, or, as among the Malagasy, being then exclusively the carriers of provisions, &c. Again, in these first stages, as in later stages, we are shown that private claims are, in the militant type, over-ridden by public claims. The life of each man is held subject to the needs of the group, and, by implication, his freedom of action is similarly held. So, too, with his goods, as instance the remark made of the Brazilian Indians, that personal property, recognized but to a limited extent during peace, is scarcely at all recognized during war, and as instance Heaine's statement concerning certain hyperborean tribes of North America when about to make war, that "property of every kind that could be of general use now ceased to be private." To which add the cardinal truth, once more to be repeated, that where no political subordination exists war initiates it. Tacitly or overtly a chief is temporarily acknowledged, and he gains permanent power if war continues. From these beginnings of the militant type which small groups show us, let us pass to its developed forms as shown in larger groups.

"The army, or, what is nearly synonymous, the nation of Dahome," to quote Burton's words, furnishes us with a good example the excessive militancy being indicated by the fact that the royal bedroom is paved with skulls of enemies. Here the king is absolute, and is regarded as supernatural in character—he is the "spirit," and of course he is the religious head—he ordains the priests. He absorbs in himself all powers and all rights "by the state-law of Dahome. . . all men are slaves to the king." He "is heir to all his subjects," and he takes from living subjects whatever he likes. When we add that there is a frequent killing of victims to carry messages to the other world, as well as occasions on which numbers are sacrificed to supply deceased kings with attendants, we are shown that life, liberty, and property, are at the

Yncas, whose subjects were remote in blood from these the ancient Egyptian empire peopled by yet other races the community of the Spartans again unlike in the type of its men, and the existing Russian nation made up of Slavs and Tatars, we have before us cases in which such similarities of social structure as exist, cannot be ascribed to inheritance of a common character by the social units. The immense contrasts between the populations of these several societies, too varying from millions at the one extreme to thousands at the other negative the supposition that their common structural traits are consequent on size. Nor can it be supposed that likenesses of conditions in respect of climate, surface soil flora, fauna, or likenesses of habits caused by such conditions can have had anything to do with the likenesses of organization in these societies for their respective habitats present numerous marked unlikenesses. Such traits as they one and all exhibit not ascribable to any other cause must thus be ascribed to the habitual militancy characteristic of them all. The results of induction alone would go far to warrant this ascription and it is fully warranted by their correspondence with the results of deduction as set forth above.

§ 559 Any remaining doubts must disappear on observing how continued militancy is followed by further development of the militant organization. Three illustrations will suffice.

When during Roman conquests the tendency for the successful general to become despot repeatedly displayed finally took effect—when the title *imperator* military in its primary meaning became the title for the civil ruler showing us on a higher platform that genesis of political headship out of military headship visible from the beginning—when as usually happens an increasingly divine character was acquired by the civil ruler as shown in the assumption of the sacred name Augustus as well as in the growth of an actual worship of him there simultaneously became more pronounced those

further traits which characterize the militant type in its developed form. Practically, if not nominally, the other powers of the State were absorbed by him. In the words of Duruy, he had—

“The right of proposing, that is, of making laws, of receiving and trying appeals, *i e* the supreme jurisdiction, of arresting by the tribunitian veto every measure and every sentence, *i e* of putting his will in opposition to the laws and magistrates, of summoning the senate or the people and presiding over it, *i e* of directing the electoral assemblies as he thought fit. And these prerogatives he will have not for a single year but for life, not in Rome only but throughout the empire, not shared with ten colleagues, but exercised by himself alone, lastly, without any account to render, since he never resigns his office.”

Along with these changes went an increase in the number and definiteness of social divisions. The Emperor—

“Placed between himself and the masses a multitude of people regularly classed by categories, and piled one above the other in such a way that this hierarchy, pressing with all its weight upon the masses underneath, held the people and factious individuals powerless. What remained of the old patrician nobility had the foremost rank in the city,

below it came the senatorial nobility, half hereditary, below that the moneyed nobility or equestrian order—three aristocracies superposed.

The sons of senators formed a class intermediate between the senatorial and the equestrian order. In the 2nd century the senatorial families formed an hereditary nobility with privileges.”

At the same time the administrative organization was greatly extended and complicated.

“Augustus created a large number of new offices, as the superintendence of public works, roads, aqueducts, the Tiber-bed, distribution of corn to the people. He also created numerous offices of procurators for the financial administration of the empire, and in Rome there were 1,060 municipal officers.”

The structural character proper to an army spread in a double way. military officers acquired civil functions and functionaries of a civil kind became partially military. The magistrates appointed by the Emperor, tending to replace those appointed by the people, had, along with their civil authority, military authority, and while “under Augustus the prefects of the pretorium were only military chiefs, they gradually possessed themselves of the whole civil authority, and finally

the time of the Abbé Brantôme, the spirit was such that that ecclesiastic enjoining on his nephews by his will to avenge any unredressed wrongs done to him in his old age says of himself— I may boast and I thank God for it, that I never received an injury without being revenged on the author of it." That where militancy is active revenge private as well as public, becomes a duty is well shown at the present time among the Montenegrins—a people who have been at war with the Turks for centuries. Dans le Montenegro says Boué "on dira d'un homme d'une nahie [clan] ayant tué un individu d'une autre. Cette nahie nous doit une tête, et il faut que cette dette soit acquittée car qui ne se venge pas ne se sanctifie pas."

Where activity in destroying enemies is chronic destruction will become a source of pleasure where success in subduing fellow men is above all things honoured there will arise delight in the forcible exercise of mastery and with pride in spoiling the vanquished will go disregard for the rights of property at large. As it is incredible that men should be courageous in face of foes and cowardly in face of friends so it is incredible that the other feelings fostered by perpetual conflicts abroad should not come into play at home. We have just seen that with the pursuit of vengeance outside the society there goes the pursuit of vengeance inside the society, and whatever other habits of thought and action constant war necessitates, must show their effects on the social life at large. Facts from various places and times prove that in militant communities the claims to life liberty and property are little regarded. The Dahomans warlike to the extent that both sexes are warriors and by whom slave-hunting invasions are or were annually undertaken "to furnish funds for the royal exchequer" show their bloodthirstiness by their annual customs "at which multitudinous victims are publicly slaughtered for the popular gratification. The Fijians again highly militant in their activities and type of organization who display their reckless

ness of life not only by killing their own people for cannibal feasts, but by destroying immense numbers of their infants and by sacrificing victims on such trivial occasions as launching a new canoe, so much applaud ferocity that to commit a murder is a glory. Early records of Asiatics and Europeans show us the like relation. What accounts there are of the primitive Mongols, who, when united, massacred western peoples wholesale, show us a chronic reign of violence, both within and without their tribes, while domestic assassinations, which from the beginning have characterized the militant Turks, continue to characterize them down to our own day. In proof that it was so with the Greek and Latin races it suffices to instance the slaughter of the two thousand helots by the Spartans, whose brutality was habitual, and the murder of large numbers of suspected citizens by jealous Roman emperors, who also, like their subjects, manifested their love of bloodshed in their arenas. That where life is little regarded there can be but little regard for liberty, follows necessarily. Those who do not hesitate to end another's activities by killing him, will still less hesitate to restrain his activities by holding him in bondage. Militant savages, whose captives, when not eaten, are enslaved, habitually show us this absence of regard for fellow-men's freedom, which characterizes the members of militant societies in general. How little, under the *régime* of war, more or less markedly displayed in all early historic societies, there was any sentiment against depriving men of their liberties, is sufficiently shown by the fact that even in the teachings of primitive Christianity there was no express condemnation of slavery. Naturally the like holds with the right of property. Where mastery established by force is honourable, claims to possession by the weaker are likely to be little respected by the stronger. In Fiji it is considered chief-like to seize a subject's goods, and theft is virtuous if undiscovered. Among the Spartans "the ingenious and successful pilferer gained applause with his booty." In mediæval

development there are fundamental similarities of the kinds above inferred *à priori*. Modern Dahomey and Russia, as well as ancient Peru, Egypt and Sparta, exemplify that owning of the individual by the State in life liberty and goods which is proper to a social system adapted for war. And that with changes further fitting a society for warlike activities there spread throughout it an officialism, a dictation and a superintendence akin to those under which soldiers live we are shown by imperial Rome, by imperial Germany, and by England since its late aggressive activities.

Lastly comes the evidence furnished by the adapted characters of the men who compose militant societies. Making success in war the highest glory they are led to identify goodness with bravery and strength. Revenge becomes a sacred duty with them and acting at home on the law of retaliation which they act on abroad they similarly at home as abroad are ready to sacrifice others to self their sympathies continually deadened during war cannot be active during peace. They must have a patriotism which regards the triumph of their society as the supreme end of action, they must possess the loyalty whence flows obedience to authority and that they may be obedient they must have abundant faith. With faith in authority and consequent readiness to be directed naturally goes relatively little power of initiation. The habit of seeing everything officially controlled fosters the belief that official control is everywhere needful, while a course of life which makes personal causation familiar and negatives experience of impersonal causation, produces an inability to conceive of any social processes as carried on under self-regulating arrangements. And these traits of individual nature needful concomitants as we see of the militant type are those which we observe in the members of actual militant societies.

CHAPTER XVIII.

THE INDUSTRIAL TYPE OF SOCIETY

§ 562 Having nearly always to defend themselves against external enemies, while they have to carry on internally the processes of sustentation, societies, as remarked in the last chapter, habitually present us with mixtures of the structures adapted to these diverse ends. Disentanglement is not easy. According as either structure predominates it ramifies through the other. Instance the fact that where the militant type is much developed, the worker, ordinarily a slave, is no more free than the soldier, while, where the industrial type is much developed, the soldier, volunteering on specified terms, acquires in so far the position of a free worker. In the one case the system of status, proper to the fighting part, pervades the working part, while in the other the system of contract, proper to the working part, affects the fighting part. Especially does the organization adapted for war obscure that adapted for industry. While, as we have seen, the militant type as theoretically constructed, is so far displayed in many societies as to leave no doubt about its essential nature, the industrial type has its traits so hidden by those of the still-dominant militant type, that its nature is nowhere more than very partially exemplified. Saying thus much to exclude expectations which cannot be fulfilled, it will be well also to exclude certain probable misconceptions.

In the first place, industrialism must not be confounded with industriousness. Though the members of an industrially-organized society are habitually industrious, and are, indeed,

of this phrase commonly conceived, that a more specific statement must be made. Justice then as here to be understood, means preservation of the normal connexions between acts and results—the obtainment by each of as much benefit as his efforts are equivalent to—no more and no less. Living and working within the restraints imposed by one another's presence justice requires that individuals shall severally take the consequences of their conduct, neither increased nor decreased. The superior shall have the good of his superiority and the inferior the evil of his inferiority. A veto is therefore put on all public action which abstracts from some men part of the advantages they have earned and awards to other men advantages they have not earned.

That from the developed industrial type of society there are excluded all forms of communistic distribution the inevitable trait of which is that they tend to equalize the lives of good and bad, idle and diligent, is readily proved. For when the struggle for existence between societies by war having ceased there remains only the industrial struggle for existence the final survival and spread must be on the part of those societies which produce the largest number of the best individuals—individuals best adapted for life in the industrial state. Suppose two societies, otherwise equal in one of which the superior are allowed to retain for their own benefit and the benefit of their offspring the entire proceeds of their labour but in the other of which the superior have taken from them part of these proceeds for the benefit of the inferior and their offspring. Evidently the superior will thrive and multiply more in the first than in the second. A greater number of the best children will be reared in the first, and eventually it will outgrow the second. It must not be inferred that private and voluntary aid to the inferior is negatived but only public and enforced aid. Whatever effects the sympathies of the better for the worse spontaneously produce cannot of course be interfered with and will on the whole be beneficial. For while on the average, the better will not carry such efforts so

far as to impede their own multiplication, they will carry them far enough to mitigate the ill-fortunes of the worse without helping them to multiply.

§ 568 Otherwise regarded, this system under which the efforts of each bring neither more nor less than their natural returns, is the system of contract

We have seen that the *régime* of status is in all ways proper to the militant type. It is the concomitant of that graduated subordination by which the combined action of a fighting body is achieved, and which must pervade the fighting society at large to insure its corporate action. Under this *régime*, the relation between labour and produce is traversed by authority. As in the army, the food, clothing, &c., received by each soldier are not direct returns for work done, but are arbitrarily apportioned, while duties are arbitrarily enforced, so throughout the rest of the militant society, the superior dictates the labour and assigns such share of the returns as he pleases. But as, with declining militancy and growing industrialism, the power and range of authority decrease while uncontrolled action increases, the relation of contract becomes general, and in the fully-developed industrial type it becomes universal.

Under this universal relation of contract when equitably administered, there arises that adjustment of benefit to effort which the arrangements of the industrial society have to achieve. If each as producer, distributor, manager, adviser, teacher, or aider of other kind, obtains from his fellows such payment for his service as its value, determined by the demand, warrants, then there results that correct apportioning of reward to merit which ensures the prosperity of the superior.

§ 569 Again changing the point of view, we see that whereas public control in the militant type is both positively regulative and negatively regulative, in the industrial type it

Difficulties meet us when turning to civilized societies we seek in them for traits of the industrial type. Consolidated and organized as they have all been by wars actively carried on throughout the earlier periods of their existence, and mostly continued down to recent times and having simultaneously been developing within themselves organizations for producing and distributing commodities, which have little by little become contrasted with those proper to militant activities the two are everywhere presented so mingled that clear separation of the first from the last is, as said at the outset scarcely practicable. Radically opposed however as is compulsory cooperation the organizing principle of the militant type to voluntary cooperation the organizing principle of the industrial type, we may by observing the decline of institutions exhibiting the one recognize, by implication the growth of institutions exhibiting the other. Hence if in passing from the first states of civilized nations in which war is the business of life, to states in which hostilities are but occasional we simultaneously pass to states in which the ownership of the individual by his society is not so constantly and strenuously enforced in which the subjection of rank to rank is mitigated in which political rule is no longer autocratic in which the regulation of citizens lives is diminished in range and rigour while the protection of them is increased we are by implication shown the traits of a developing industrial type. Comparisons of several kinds disclose results which unite in verifying this truth.

Take first the broad contrast between the early condition of the more civilized European nations at large and their later condition. Setting out from the dissolution of the Roman empire we observe that for many centuries during which conflicts were effecting consolidations and dissolutions, and re-consolidations in endless variety such energies as were not directly devoted to war were devoted to little else than supporting the organizations which carried on war the working part of each community did not exist for its own

sake, but for the sake of the fighting part. While militancy was thus high and industrialism undeveloped, the reign of superior strength, continually being established by societies one over another, was equally displayed within each society. From slaves and serfs, through vassals of different grades up to dukes and kings, there was an enforced subordination by which the individualities of all were greatly restricted. And at the same time that, to carry on external aggression or resistance, the ruling power in each group sacrificed the personal claims of its members, the function of defending its members from one another was in but small degree discharged by it: they were left to defend themselves. If with these traits of European societies in mediæval times, we compare their traits in modern times, we see the following essential differences. First, with the formation of nations covering large areas, the perpetual wars within each area have ceased, and though the wars between nations which from time to time occur are on larger scales, they are less frequent, and they are no longer the business of all freemen. Second, there has grown up in each country a relatively large population which carries on production and distribution for its own maintenance, so that whereas of old, the working part existed for the benefit of the fighting part, now the fighting part exists mainly for the benefit of the working part—exists ostensibly to protect it in the quiet pursuit of its ends. Third, the system of status, having under some of its forms disappeared and under others become greatly mitigated, has been almost universally replaced by the system of contract. Only among those who, by choice or by conscription, are incorporated in the military organization, does the system of status in its primitive rigour still hold so long as they remain in this organization. Fourth, with this decrease of compulsory cooperation and increase of voluntary cooperation, there have diminished or ceased many minor restraints over individual actions. Men are less tied to their localities than they were, they are not obliged to profess

during the war period which extended from 1775 to 1815 and during the subsequent period of peace. At the end of the last century and the beginning of this, reversion towards ownership of the individual by the society had gone a long way. "To statesmen, the State, as a unit, was all in all and it is really difficult to find any evidence that the people were thought of at all except in the relation of obedience." "The Government regarded the people with little other view than as a taxable and soldier yielding mass." While the militant part of the community had greatly developed the industrial part had approached towards the condition of a permanent commissariat. By conscription and by press gangs was carried to a relatively vast extent that sacrifice of the citizen in life and liberty which war entails and the claims to property were trenched on by merciless taxation weighing down the middle classes so grievously that they had greatly to lower their rate of living, while the people at large were so distressed (partly no doubt by bad harvests) that hundreds ate nettles and other weeds." With these major aggressions upon the individual by the State, went numerous minor aggressions. Irresponsible agents of the executive were empowered to suppress public meetings and seize their leaders death being the punishment for those who did not disperse when ordered. Libraries and news rooms could not be opened without licence and it was penal to lend books without permission. There were "struuous attempts made to silence the press" and booksellers dared not publish works by obnoxious authors. "Spies were paid witnesses were suborned juries were packed and the *habeas corpus* Act being constantly suspended the Crown had the power of imprisoning without inquiry and without limitation." While the Government taxed and coerced and restrained the citizen to this extent its protection of him was inefficient. It is true that the penal code was made more extensive and more severe. The definition of treason was enlarged and numerous offences were made capital which were not capital before, so that

there was a "vast and absurd variety of offences for which men and women were sentenced to death by the score" there was "a devilish levity in dealing with human life" But at the same time there was not an increase, but rather a decrease, of security As says Mr Pike in his *History of Crime in England*, "it became apparent that the greater the strain of the conflict the greater is the danger of a reaction towards violence and lawlessness"

Turn now to the opposite picture After recovery from the prostration which prolonged wars had left, and after the dying away of those social perturbations caused by impoverishment, there began a revival of traits proper to the industrial type Coercion of the citizen by the State decreased in various ways Voluntary enlistment replaced compulsory military service, and there disappeared some minor restraints over personal freedom, as instance the repeal of laws which forbade artisans to travel where they pleased, and which interdicted trades-unions. With these manifestations of greater respect for personal freedom, may be joined those shown in the amelioration of the penal code. the public whipping of females being first abolished, then the long list of capital offences being reduced until there finally remained but one, and, eventually, the pillory and imprisonment for debt being abolished Such penalties on religious independence as remained disappeared, first by removal of those directed against Protestant Dissenters, and then of those which weighed on Catholics, and then of some which told specially against Quakers and Jews By the Parliamentary Reform Bill and the Municipal Reform Bill, vast numbers were removed from the subject classes to the governing classes Interferences with the business-transactions of citizens were diminished by allowing free trade in bullion, by permitting joint-stock banks, by abolishing multitudinous restrictions on the importation of commodities—leaving eventually but few which pay duty Moreover while these and kindred changes, such as the removal of restraining burdens on the press, decreased the impediments

extend to the other world as it is even now supposed to do in China, has had no parallel in the West but still among European peoples in past times that confidence in the soldier king essential to the militant type displayed itself among other ways in exaggerated conceptions of his ability to rectify mischiefs achieve benefits and arrange things as he willed. If we compare present opinion among ourselves with opinion in early days we find a decline in these credulous expectations. Though, during the late retrograde movement towards militancy State-power has been invoked for various ends and faith in it has increased yet, up to the commencement of this reaction a great change had taken place in the other direction. After the repudiation of a State-enforced creed there came a denial of the State's capacity for determining religious truth and a growing movement to relieve it from the function of religious teaching held to be alike needless and injurious. Long ago it had ceased to be thought that Government could do any good by regulating people's food, clothing and domestic habits, and over the multitudinous processes carried on by producers and distributors, constituting immensely the larger part of our social activities we no longer believe that legislative dictation is beneficial. Moreover every newspaper by its criticisms on the acts of ministers and the conduct of the House of Commons betrays the diminished faith of citizens in their rulers. Nor is it only by contrasts between past and present among ourselves that we are shown this trait of a more developed industrial state. It is shown by kindred contrasts between opinion here and opinion abroad. The speculations of social reformers in France and in Germany prove that the hope for benefits to be achieved by State-agency is far higher with them than with us.

Along with decrease of loyalty and concomitant decrease of faith in the powers of governments has gone decrease of patriotism—patriotism that is under its original form. To fight for king and country "is an ambition which now a

days occupies but a small space in men's minds, and though there is among us a majority whose sentiment is represented by the exclamation—"Our country, right or wrong!" yet there are large numbers whose desire for human welfare at large, so far overrides their desire for national prestige, that they object to sacrificing the first to the last. The spirit of self-criticism, which in sundry respects leads us to make unfavourable comparisons between ourselves and our continental neighbours, leads us more than heretofore to blame ourselves for wrong conduct to weaker peoples. The many and strong reprobations of our dealings with the Afghans, the Zulus, and the Boers, show that there is a large amount of the feeling reprobated by the "Jingo"-class as unpatriotic.

That adaptation of individual nature to social needs, which, in the militant state, makes men glory in war and despise peaceful pursuits, has partially brought about among us a converse adjustment of the sentiments. The occupation of the soldier has ceased to be so much honoured, and that of the civilian is more honoured. During the forty years' peace, the popular sentiment became such that "soldiering" was spoken of contemptuously, and those who enlisted, habitually the idle and the dissolute, were commonly regarded as having completed their disgrace. Similarly in America before the late civil war, such small military gatherings and exercises as from time to time occurred, excited general ridicule. Meanwhile we see that labours, bodily and mental, useful to self and others, have come to be not only honourable but in a considerable degree imperative. In America the adverse comments on a man who does nothing, almost force him into some active pursuit, and among ourselves the respect for industrial life has become such that men of high rank put their sons into business.

While, as we saw, the compulsory cooperation proper to militancy, forbids, or greatly discourages, individual initiative, the voluntary cooperation which distinguishes industrialism, gives free scope to individual initiative, and develops it by

its possessor may pay the debts of poorer men and settle differences we are obliged to reject the assumption that "brotherly love" can exist only as a consequence of divine injunctions with promised rewards and threatened punishments; for of these Arafuras we read that—

"Of the immortality of the soul they have not the least conception. To all my enquiries on the subject they answered, No Arafura has ever returned to us after death, therefore we know nothing of a future state and this is the first time we have heard of it. Their idea was when you are dead there is an end of you. Neither have they any notion of the creation of the world. They only answered, None of us were aware of this, we have never heard anything about it, and therefore do not know who has done it all."

The truth disclosed by the fact is that so far as men's moral states are concerned, theory is almost nothing and practice is almost everything. No matter how high their nominal creed, nations given to political burglaries to get "scientific frontiers," and the like will have among their members many who "annex" others' goods for their own convenience; and with the organized crime of aggressive war will go criminality in the behaviour of one citizen to another. Conversely as these uncultivated tribes prove, no matter how devoid they are of religious beliefs, those who generation after generation remaining unviolated inflict no injuries upon others, have their altruistic sentiments fostered by the sympathetic intercourse of a peaceful daily life, and display the resulting virtues. We need teaching that it is impossible to join injustice and brutality abroad with justice and humanity at home. What a pity these Heathens cannot be induced to send missionaries among the Christians!

CHAPTER XIX.

POLITICAL RETROSPECT AND PROSPECT

§ 576 In the foregoing chapters little has been said concerning the doctrine of Evolution at large, as re-illustrated by political evolution, though doubtless the observant reader has occasionally noted how the transformations described conform to the general law of transformation. Here, in summing up, it will be convenient briefly to indicate their conformity. Already in Part II, when treating of Social Growth, Social Structures, and Social Functions, the outlines of this correspondence were exhibited, but the materials for exemplifying it in a more special way, which have been brought together in this Part, may fitly be utilized to emphasize afresh a truth not yet commonly admitted.

That under its primary aspect political development is a process of integration, is clear. By it individuals originally separate are united into a whole, and the union of them into a whole is variously shown. In the earliest stages the groups of men are small, they are loose, they are not unified by subordination to a centre. But with political progress comes the compounding, re-compounding, and re-re-compounding of groups until great nations are produced. Moreover, with that settled life and agricultural development accompanying political progress, there is not only a formation of societies covering wider areas, but an increasing density of their populations. Further, the loose aggregation of savages passes into

legislature there are the various modes in which it may be partially or wholly replaced. Entire dissolution and re-election of one body or of both bodies may occur at intervals, either the same for the two or different for the two and either simultaneously or otherwise or the higher body though representative may be permanent while the lower is changeable or the changing of one or both at given intervals, may be partial instead of complete—a third or a fourth may vacate their seats annually or biennially and may or may not be eligible for re-election.

So too there are various modes by which the executive may originate consistently with the representative principle. It may be simple or it may be compound and if compound, the members of it may be changeable separately or altogether. The political head may be elected directly by the whole community, or by its local governing bodies, or by one or by both of its central representative bodies and may be so elected for a term or for life. His assistants or ministers may be chosen by himself or he may choose one who chooses the rest or they may be chosen separately or bodily by one or other legislature or by the two united. And the members of the ministry may compose a group apart from both chambers, or may be members of one or the other.

Concerning these, and many other possible arrangements which may be conceived as arising by modification and complication of them (all apparently congruous with the requirement that the making and administration of laws shall conform to public opinion) the choice is to be guided mainly by regard for simplicity and facility of working. But it seems likely that hereafter as heretofore, the details of constitutional forms in each society will not be determined on *a priori* grounds or will be but partially so determined. We may conclude that they will be determined in large measure by the antecedents of the society and that between societies of the industrial type there will be differences of political organization consequent on genealogical differences. Recog

nizing the analogies furnished by individual organizations, which everywhere show us that structures evolved during the earlier stages of a type for functions then requisite, usually do not disappear at later stages, but become remoulded in adaptation to functions more or less different; we may suspect that the political institutions appropriate to the industrial type, will, in each society, continue to bear traces of the earlier political institutions evolved for other purposes, as we see that even now the new societies growing up in colonies, tend thus to preserve marks of earlier stages passed through by ancestral societies. Hence we may infer that societies which, in the future, have alike become completely industrial, will not present identical political forms; but that to the various possible forms appropriate to the type, they will present approximations determined partly by their own structures in the past and partly by the structures of the societies from which they have been derived. Recognizing this probability, let us now ask by what changes our own political constitution may be brought into congruity with the requirements

Though there are some who contend that a single body of representatives is sufficient for the legislative needs of a free nation, yet the reasons above given warrant the suspicion that the habitual duality of legislatures, of which the rudiments are traceable in the earliest political differentiation, is not likely to be entirely lost in the future. That spontaneous division of the primitive group into the distinguished few and the undistinguished many, both of which take part in determining the actions of the group—that division which, with reviving power of the undistinguished many, reappears when there is formed a body representing it, which cooperates with the body formed of the distinguished few in deciding on national affairs, appears likely to continue. Assuming that as a matter of course two legislative bodies, if they exist hereafter, must both arise by representation, direct or indirect, it seems probable that an upper and a lower chamber may

immense against agreement for any other public end. And in the absence of such agreement, there must arise resistance by the dissentients to the costs and administrative restraints required for achieving such other end. There must be dissatisfaction and opposition on the part of the minority from whom certain returns of their labours are taken not for fulfilling their own desires, but for fulfilling the desires of others. There must be an inequality of treatment which does not consist with the *régime* of voluntary cooperation fully carried out.

At the same time that the employment of political agencies for other ends than that of maintaining equitable relations among citizens, will meet with egoistic resistance from a minority who do not desire such other ends, it will also meet with altruistic resistance from the rest. In other words the altruism of the rest will prevent them from achieving such further ends for their own satisfaction at the cost of dissatisfaction to those who do not agree with them. To one who is ruled by a predominant sentiment of justice the thought of profiting in any way direct or indirect, at the expense of another is repugnant, and in a community of such none will desire to achieve by public agency at the cost of all benefits which a part do not participate in or do not wish for. Given in all citizens a quick sense of equity and it must happen for example that while those who have no children will protest against the taking away of their property to educate the children of others, the others will no less protest against having the education of their children partially paid for by forced exactions from the children from the unmarried and from those whose means are in many cases less than their own. So that the eventual limitation of State-action to the fundamental one described, is insured by a simultaneous increase of opposition to other actions and a decrease of desire for them.

§ 580 The restricted sphere for political institutions thus

inferred as characterizing the developed industrial type, may also be otherwise inferred

For this limitation of State-functions is one outcome of that process of specialization of functions which accompanies organic and super-organic evolution at large. Be it in an animal or be it in a society, the progress of organization is constantly shown by the multiplication of particular structures adapted to particular ends. Everywhere we see the law to be that a part which originally served several purposes and achieved none of them well, becomes divided into parts each of which performs one of the purposes, and, acquiring specially-adapted structures, performs it better. Throughout the foregoing chapters we have seen this truth variously illustrated by the evolution of the governmental organization itself. It remains here to point out that it is further illustrated in a larger way, by the division which has arisen, and will grow ever more decided, between the functions of the governmental organization as a whole, and the functions of the other organizations which the society includes.

Already we have seen that in the militant type, political control extends over all parts of the lives of the citizens. Already we have seen that as industrial development brings the associated political changes, the range of this control decreases. Ways of living are no longer dictated, dress ceases to be prescribed, the rules of class-subordination lose their peremptoriness, religious beliefs and observances are not insisted upon, modes of cultivating the land and carrying on manufactures are no longer fixed by law, and the exchange of commodities, both within the community and with other communities, becomes gradually unshackled. That is to say, as industrialism has progressed, the State has retreated from the greater part of those regulative actions it once undertook. This change has gone along with an increasing opposition of citizens to these various kinds of control, and a decreasing tendency on the part of the State to

thing needful is the checking of international antagonisms and the diminution of those armaments which are at once cause and consequence of them. With the repression of militant activities and decay of militant organizations will come amelioration of political institutions as of all other institutions. Without them, no such ameliorations are permanently possible. Liberty overtly gained in name and form will be unobtrusively taken away in fact.

It is not to be expected, however, that any very marked effects are to be produced by the clearest demonstration of this truth—even by a demonstration beyond all question. A general congruity has to be maintained between the social state at any time necessitated by circumstances and the accepted theories of conduct political and individual. Such acceptance as there may be of doctrines at variance with the temporary needs can never be more than nominal in degree, or limited in range or both. The acceptance which guides conduct will always be of such theories no matter how logically indefensible, as are consistent with the average modes of action public and private. All that can be done by diffusing a doctrine much in advance of the time is to facilitate the action of forces tending to cause advance. The forces themselves can be but in small degrees increased, but something may be done by preventing mis-direction of them. Of the sentiment at any time enlisted on behalf of a higher social state there is always some (and at the present time a great deal) which having the broad vague form of sympathy with the masses spends itself in efforts for their welfare by multiplication of political agencies of one or other kind. Led by the prospect of immediate beneficial results those swayed by this sympathy are unconscious that they are helping further to elaborate a social organization at variance with that required for a higher form of social life and are by so doing increasing the obstacles to attainment of that higher form. On a portion of such the foregoing chapters may have some effect by leading them to con-

sider whether the arrangements they are advocating involve increase of that public regulation characterizing the militant type, or whether they tend to produce that greater individuality and more extended voluntary cooperation, characterizing the industrial type. To deter here and there one from doing mischief by imprudent zeal, is the chief proximate effect to be hoped for.

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